No. 80-251

In the Supreme Court of the United States

OCTOBER TERM, 1980

BERNARD ROSTKER, DIRECTOR OF SELECTIVE SERVICE, APPELLANT

v.

ROBERT L. GOLDBERG, ET AL.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOINT APPENDIX

JURISDICTIONAL STATEMENT FILED AUGUST 19, 1980
PROBABLE JURISDICTION NOTED DECEMBER 1, 1980

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RELEVANT DOCKET ENTRIES

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Civil Action No. 71-1480

Date		Proceedings
1	June 16	Complaint filed
	June 16	Summons exist
2	June 25	Plffs motion for the convening of a statutory three-judge Court and memorandum, filed.
3	June 30	Summons returned, "on 6-18-71 by certified mail served Henry R. Sherrard" & 6-22-71 served Curtis Tarr Natl. & John Mitchell, Attorney General," on 6-17-71 served Louis C Bechtle," on 6-22-71 served Local Board No. 138", filed.
4	July 1	Plf's Notice of Change of Address filed.
5	July 23	Defs' Reply to Motion of Plf. for the convening of a Statutory Three-Judge Court and Defs' Motion to Dismiss filed.
6	July 23	Defs' Memorandum in support of Defs' opposition to Plfs' Motion for a Three Judge Court and Defs' Motion to Dismiss filed.
7	Aug 16	Stipulation and Order extending time for Plffs. to file responsive pleadings, etc. in support of Motion for convening of a statutory 3-Judge court and Defts' Motion to Dismiss to 9/10/71, field. JG
8	Sep. 8	Plff's motion for extension of time for determination of whether the case is to be maintained as a class action, filed.
9	Sep. 10	Plff's memorandum in opposition to deft's motion to dismiss, filed.

Date		Proceedings
10	Sep. 10	Plff's reply Memorandum in support of their motion for the convening of a Three Judge Court, filed.
	Nov. 16	Argued sur plff's motion for convening a 3 Judge Court. C.A.V. JG
	Nov. 16	Argued sur Govt's motion to dismiss the complaint. C.A.V. JG
11	Nov. 30	Defts' supplemental memorandum in opposition to plffs' motion for a Three-Judge Court, and in support of defts' motion to dismiss, filed.
12	Dec. 7	Plff's supplemental reply memorandum in support of motion for a Three-Judge Court and in opposition to defts' motion to dismiss, filed.
1972		
13	Apr. 17	Motion of plffs. for consolidation or in the alternative to intervene, and memorandum in support thereof, filed.
14	Apr. 17	Defts' motion for extension of time to respond to plffs' motion for consolidation, etc., filed.
15	Apr. 18	Order GRANTING defts' motion for extension of time to respond to plffs' motion, filed. (4-19-72 entered and copies mailed) JL
16	Apr. 25	Deft's memorandum opposing motion for consolidation or in the alternative, leave to intervene, filed.
17	Apr. 27	Memorandum, GORBEY, J., and Order that plffs' application for a three-judge court is DENIED, and that defts' motion to dismiss the complaint is GRANTED, filed. (4-27-72 entered and notice mailed) JG
18	May 1	Plffs' notice of appeal, filed.

Date		Proceedings
19	May 1	Copy of Clerk's notice to U.S. Court of Appeals, filed.
	May 1	Original record transmitted to U.S. Court of Appeals.
20	May 2	Order that plffs' motion for consolidation or in the alternative to intervene is DENIED as moot, filed. (5-2-72 entered and copies mailed) JG
	May 5	Plffs' bond for costs on appeal in the sum of $250.00, with Fidelity & Deposit Co. of Maryland as surety, filed.
21	May 17	Certified copy of Order, U.S. Court of Appeals, denying appellant's motion for an expedited hearing, etc., filed. (Coy to Judge Gorbey) F.VD
22	May 24	Order that motion of plffs. in Roland, et al v. Tarr, et al, Civil Action No. 71-1480, to consolidate said action with Atlee, et al v. Laird, Civil Action No. 71-2324, is DENIED as moot, filed. (5-25-72 entered and copies mailed) JL
1973		
	Mar 27	1st supplemental record transmitted to U.S. Court of Appeals,
	Jun 5	Record on appeal returned.
23	Jun 5	Certified copy of Order, U.S. Court of Appeals, issued in lieu of formal mandate, that the judgment of the District Court filed 4-27-72 is hereby VACATED AS TO COUNT III, and in all other respects is affirmed—the cause being remanded to the District Court for further proceedings in accordance with the opinion of this Court, filed. (Copy to Judge Gorby)
24	Nov 9	Deft's motion to dismiss Count 3 of the Complaint, filed.

Date		Proceedings
25	Nov 9	Deft's brief in support of motion to dismiss Count 3, filed.
26	Nov 9	Plffs' memorandum in opposition to motion to dismiss Count 3, filed.
1974		
27	Feb 22	Govt's. supplemental memorandum in support of motion to dismiss Count #3 of complaint, filed.
28	Mar 28	Order that plff. shall advise the Court of sections of Selective Service Act which are subjects of this action; that the Court will request the convening of a statutory court; and that deft's motion to dismiss will be held for decision by the statutory court, filed. (3-29-74 entered and copies mailed)) JG-C1k
29	Apr 10	Order constituting a Three Judge Court that Hon. Max Rosenn U.S. Circuit Judge and Hon. Joseph S. Lord 111, Chief Judge to sit with Hon. H. Gorbey for the hearing and determination of this action, filed. 4-11-74 entered & copies mailed
30	Apr 17	Order that whenever counsel for plff. file a motion etc, with clerk of court they shall also send a copy of documents to the chambers of the three judges etc. filed. 4/18/entered and copies mailed.
31	Apr 23	Order fixing 5/2/74, in ct. room #7, at 10:30 A.M., for argument on Deft's. motion to dismiss, before a Three-Judge Court, filed. 4/24/74 entered and copies mailed. JG
32	Apr 24	Plff's. Memorandum in opposition to second motion to dismiss, filed.
33	Apr 25	Order amending order of 4/23/74, etc., filed. 4/26/74 entered and copies mailed. JG

Date		Proceedings
	May 2	Argued sur Govt's motion to dismiss count 111 of complaint Rosen C.J. C.A.V. JL
34	July 1	Opinion & Order Lord Ch. J & Gorbey J. that deft's. motion to dismiss is DENIED, with Dissenting Opinion & Order Rosenn Circuit Judge, filed.
35	July 25	Motion and Order extending time to and including 7/31/74 for deft to answer the Complaint, filed 7/26/74 entered and copies mailed
36	July 31	Answer filed. CASE LISTED FOR TRIAL
37	July 31	Stipulation extending time to answer & Order that the time within which to answer the complaint in this action is extended until and including the day of 7/31/74, filed. 8/1/74 entered and copied mailed. JG
38	Aug 6	Plff's Interrogatories to defts (Set No. 1), filed
39	Sept 6	Deft's answer to Plff's interrogatories, filed
	Dec 3	PRE-TRIAL CONFERENCE, Gorbey, J.
40	Dec 4	Plff's Request for Admissions (Set No. 1), filed
1975		
41	Jan 2	Deft's Response to plff's Requests for Admissions (Set No. 1), filed
42	Apr 22	Plffs' Motion to compel admissions and, or in the alternative, to compel answers to interrogatories, Memorandum in support and Notice thereof, filed
43	May 19	Govt's Motion for Protective Order and Motion in Opposition to Plff's Motion to Compel Discovery, filed

Date		Proceedings
44	May 28	Deft's Motion for Judgment on the pleadings or, alternatively, for Summary Judgment, Memorandum of Law in support and Notice thereof, filed
45	May 29	Plff's Motion to intervene Robert L. Goldberg as party Plff, filed
46	May 29	Plff's Memorandum in opposition to defts' Motion for Protective Order, filed
47	June 13	Plffs' Memorandum in Opposition to deft's Motion for Judgment on the Pleadings or, alternatively, for summary judgment, filed
(45)	June 25	ORDER that leave for Robert L. Goldberg to intervene as a party plff and to participate fully as a party plff in all proceedings and the title of this case is changed to Robert L. Goldberg et al v. Curtis Tarr etc., filed 6/26/75 entered and copies mailed JG
48	Jul 8	Plffs' Motion to Drop Certain Parties Plff, filed
(48)	Jul 22	ORDER that Andrew Rowland, Steven Rowland and David Freudberg are dropped as parties plff, filed 7/23/75 entered and copies mailed JG
49	Jul 22	ORDER DENYING plffs' motion to compel admissions and, in the alternative, to compel answers to interrogatories, filed 7/23/75 entered and copies mailed JG
50	Jul 22	ORDER that argument on the deft's motion for judgment on the pleadings or, alternatively for summary judgment, will be held before the Three-Judge Court at 10:30 A.M. on 7/31/75 in Courtroom No. 3, filed 7/23/75 entered and copies mailed JG

Date		Proceedings
51	Jul 22	ORDER that deft's motion for protective order is DENIED, filed 7/23/75 entered and copies mailed JG
52	Jul 31	ORDER that argument on deft's motion for judgment on the pleadings or alternatively, for summary judgment, scheduled for 7/31/75 at 10:30 A.M. is continued to another date etc., filed 8/1/75 entered and copies mailed JG
53	Aug 6	ORDER that argument on the deft's motion for judgment on the pleadings or, alternatively, for summary judgment, will be held before the Three-Judge Court at 3:00 P.M. on 9/17/75 in Courtroom 13-B etc., filed 8/7/75 entered and copies mailed JG
54	Oct 7	Transcript of 9/17/75, filed
55	Oct 24	ORDER DENYING defts' Motion for Judgment on the pleadings or, alternatively, for summary judgment and that the parties are to proceed with discovery in this matter so that a full record can be presented to the court before a final decision is made on the merits of this case, filed M. Rosenn, Cir. Judge Ch. J. Lord, III James H. Gorbey
56	Oct 31	Plffs' interrogatories to defts', (Set No. 1-Supplementary), filed
57	Dec 23	Stipulation and Order extending time until and including 1-31-76 for deft to answer interrogatories, filed JG
1976		
58	JAN 7	Plff's notice of taking the depositions of Peter T. Straub et al, filed
59	MAR. 9	DEPOSITION OF PETER T. STRAUB, FILED
60	Apr. 30	Report of Pretrial conference Gorbey, J., filed. 5/3/76 entered JG-CLK

Date		Proceedings
61	May 5	Plff's Motion for Sanctions, Memorandum in Support and Notice, filed
62	May 7	Defts' opposition to plff's Motion for Sanctions, Points and Authorities in Support and Certificate of Service, filed
63	May 10	Plffs' Reply Memorandum in support of Motion for Sanctions, filed
64	May 13	Defts' supplemental answers and objections to plffs' interrogatories (Set No. 1-Supplementary), filed
65	May 17	Defts' notice of taking the deposition of plff, David B. Sitman, filed (Scheduled for 6-14-76 at 2:00 P.M.)
66	May 17	Defts' notice of taking the deposition of plff, David B. Sitman, scheduled for 6-14-76 at 10:00 A.M., filed
67	May 19	Plffs' Request for Production of Documents, filed
68	May 28	Supplemental Points and authorities in support of defts' opposition to plffs' Motion for Sanctions, filed
69	May 28	Defts' notice of taking the deposition of plff, Robert L. Goldberg, filed
70	May 28	Defts' notice of taking the deposition of plff, David B. Sitman, filed
71	Jun 3	ORDER that defts' objections to plffs' interrogatories are overruled and defts are Ordered to file responsive answers to plffs' interrogatories (Set No. 1—Supplementary) or advise plffs and the court that defts adopt as their complete answers those answers which it filed on 5-31-76, within fifteen (15) days of the date of this Order, filed 6-3-76 entered and copies mailed JG
1976		
72	June 8	Defts' response to plffs' Request for Production of Documents, filed

Date		Proceedings
73	Jun 18	Defts' supplemental Response to Plffs' interrogatories (Set No. 1-Supplementary), filed
74	Jun 30	Appearance of John M. Kelson, Esq. as counsel for Defts., filed.
75	July 12	Plffs' Motion to join further defts, Memorandum in Support, Certificate of Service and Notice, filed
76	July 16	Stipulation and Order extending time to and including 7-16-76 for defts to respond to Plffs' Motion to Join Further defts, filed JG
77	July 21	Defts' Opposition to Plffs' Motion to Join Further Defts, Points and Authorities in Support and Certificate of Service, filed.
78	July 27	Stipulation and Order extending time to 7-20-76 for defts to respond to Plffs' Motion to Join Further Defts, filed JG
77	July 27	ORDER DENYING Plffs' Motion to Join Further Defts, filed 7-28-76 entered and copies mailed JG
79	Aug 25	Plffs' notice of taking the depositions of Commanding General, Robt. Gard, et al, filed
80	Sep 7	DEPOSITION OF DAVID BRUCE SITMAN, FILED
81	Sep 7	DEPOSITION OF ROBERT L. GOLDBERG, FILED
82	Sep 14	Motion for Protective Order on behalf of Maj. General Edward C. Meyer, Lt. General Harold G. Moore, John F. Ahearne, and Cpt. Joseph E. Murray, Memorandum of Points and Authorities, Certificate of Service, filed
83	Sep 15	Stipulation of counsel that the depositions scheduled for Sept. 20, Sept. 21 and

Date		Proceedings
		Oct. 12, 1976 by plffs be rescheduled etc., filed
84	Sep 15	Plffs' Opposition to Motion for Protective Order on behalf of Major General Edward C. Meyer, Lt. General Harold G. Moore, John F. Ahearne, and Cpt. Jos. E. Murray and Request for Sanctions, filed
85	Sep 17	Order that motion for protective order filed on behalf of Major General Edw. C. Meyer, etc., is DENIED, filed. entr. & cys. mailed 9/21/76 JG
1977		
86	Jan 19	DEPOSITION OF CAPT. JOS. E. MURRAY, JR., FILED
87	Mar 21	DEPOSITION OF EDWARD C. MEYER, FILED
88	Apr 14	DEPOSITION OF MAJOR GENERAL ROBERT G. GARD, JR., FILED
89	Apr 20	DEPOSITION OF JOHN F. AHEARNE, FILED
90	Jun 7	Govt's Motion for Extension of Time to and including 7/3/77 to serve defts' Renewed Motion for Judgment on the Pleadings or, in the Alternative, for Summary Judgment, filed
90	July 6	ORDER that defts' motion for enlargement of time is granted and that defts' time to serve their Motion is extended to and including 7/3/77, filed 7/6/77 ENTERED & COPIES MAILED JG
91	Nov 10	ORDER reassigning this action from the calendar of Judge Gorbey to the calendar of Judge Cahn, filed 11/11/77 ENTERED; Copies mailed by chambersJG
1979		
92	Jun 6	Copy of Clerk's Notice under Local Rule 23(a), filed 6/6/79 NOTICE MAILED

Date		Proceedings
93	Jun 8	PLFF's APPLICATION FOR DISCOVERY CUTOFF AND TRIAL DATE, FILED
94	Jun 18	Plff's interrogatories to defts (Set No. 2), filed
95	Jun 29	Plffs' Memorandum in support of application for discovery cutoff and final date and contra dismissal under local rule 23, filed
96	Sept 21	Plffs' Memorandum in opposition to Motion for Protective Order, filed
97	Sept 21	Affidavit of Donald L. Weinberg, Esq. pursuant to Fed. R. Civ. Procedure 56(f), filed
98	Sept 21	MOTION OF DEFTS FOR A PROTECTIVE ORDER, POINTS AND AUTHORITIES IN SUPPORT AND CERTIFICATE OF SERVICE AND NOTICE, FILED
(98)	Sept 21	MOTION OF DEFTS FOR JUDGMENT ON THE PLEADINGS, POINTS AND AUTHORITIES IN SUPPORT, CERTIFICATE OF SERVICE AND NOTICE, FILED
99	Oct 30	ORDER DATED 10/29/79 THAT ARGUMENT ON ALL OUTSTANDING MOTIONS WILL BE HEARD IN COURTROOM 3B AT 3:00 P.M. ON 12/12/79, FILED. 10/30/79 entered & copies mailed. EC
100	Dec. 21	Appearance of William J. McGettigan, Esq., AUSA for defts., filed.
1980		
101	Jan 16	Transcript of 12/12/79, filed
102	Feb 19	MEMORANDUM CAHN, J. & ORDER THAT IN THE EVENT PLFFS WISH

Date		Proceedings
		THIS ACTION TO PROCEED AS A CLASS ACTION, THEY SHALL FILE A MOTION FOR CLASS CERTIFICATION AND A BRIEF IN SUPPORT THEREOF ON OR BEFORE 3/28/80; IF PLFFS FILE A MOTION FOR CLASS CERTIFICATION, DEFTS MAY ANSWER AND FILE A REPLY BRIEF ON OR BEFORE 4/18/80; DISCOVERY MAY PROCEED UNTIL 5/9/80 ETC.; DEFTS' MOTION FOR A PROTECTIVE ORDER IS DENIED AND TRIAL SHALL COMMENCE ON MAY 21, 1980 ETC., FILED 2/19/80 ENTERED & COPIES MAILED
103	Feb 26	Letter dtd. 2/19/80 to Judge Cahn from William J. McGettigan, Esq. re: Acknowledgment of Service of memorandum dated Feb. 19, 1980, filed
104	Feb 28	ORDER THAT DEFTS'MOTION FOR SUMMARY JUDGMENT IS DENIED AND THAT THE PROCEEDINGS SCHEDULED FOR MAY 21, 1980, WILL BEGIN AT 10:00 A.M. IN COURTROOM 3B, FILED 2/28/80 ENTERED & COPIES MAILED EC
105	Mar 7	Plffs' interrogatories to defts, Set No. 3, filed
106	Mar 7	Plffs' request for production of documents with respect to plffs' interrogatories to defts (Sets No.s 2 and 3), filed
1980		
107	Mar 19	Plffs' interrogatories to defts—Set no. 4, filed
108	Mar 20	Plffs' request for production of documents with respect to plffs' interrogatories to defts (Set No. 4), filed

Date		Proceedings
109	Mar 20	Plffs' interrogatories to deft (Set No. 5), filed
110	Mar 25	PLFFS' MOTION FOR CLASS DETERMINATION AND MEMORANDUM IN SUPPORT, FILED
111	Apr 18	Defts' opposition to plffs' Motion for Class Certification, filed
112	Apr 29	MOTION TO INTERVENE OF OWEN F. JONES AS PARTY PLFF, FILED
113	Apr 29	Reply memorandum in support of plff's Motion for Class Certification, filed
114	Apr 29	Plffs' notice of taking the depositions of Bernard D. Rostker etal, filed
115	May 5	ORDER AMENDING THE ORDER OF THIS COURT OF FEB. 19, 1980 IN THE FOLLOWING RESPECTS: DISCOVERY MAY PROCEED UP TO AND INCLUDING THE DATE OF THE FINAL HEARING OR TRIAL HEREIN ON ALL ISSUES AS SET FORTH IN PARAGRAPH 2 OF THE ORDER OF FEB. 19, 1980 ETC., FILED 5/5/80 ENTERED & COPIES MAILED EC
116	May 8	DEFTS' MOTION FOR A CONTINUANCE OF THE TRIAL DATE AND EXTENSION OF TIME WITHIN WHICH TO FILE LEGAL MEMORANDA, POINTS AND AUTHORITIES IN SUPPORT AND CERTIFICATE OF SERVICE, FILED
117	May 12	Plffs' answer to defts' motion for a continuance of the trial date and an extension of time in which to file legal memoranda and memorandum in opposition, filed

Date		Proceedings
118	May 20	Transcript of Deposition of Bernard D. Rostker, filed
119	May 20	Transcript of Deposition of Richard Danzig, filed
120	May 20	Transcript of Deposition of Robert B. Pirie, filed
121	May 20	Transcript of Deposition of Major General R. Dean Tice, filed
122	May 20	ORDER THAT THE ORDERS OF THIS COURT OF FEB. 19, 1980, AS AMENDED BY ORDER OF 5/5/80, AND OF FEB. 27, 1980 ARE FURTHER AMENDED AS FOLLOWS: DEFTS' motion for a continuance of the trial date and extension of time within which to file legal memoranda is granted; trial shall commence at 10:30 A.M. ON JULY 1, 1980 IN COURTROOM ⅜B ETC. AND THAT THE MOTION TO INTERVENE OF OWEN F. JONES AS PARTY LPLFF IS GRANTED AS UNOPPOSED. LEAVE FOR OWEN F. JONES TO INTERVENE AS PARTY PLFF HEREIN, TO JOIN THE MOTION FOR CLASS DETERMINATION FILED HEREIN AND TO PARTICIPATE FULLY AS A PARTY PLFF IN ALL PROCEEDINGS IS GRANTED EFFECTIVE THIS DAY, AND THE COMPLAINT OF INTERVENOR-PLFF OWEN F. JONES AS SET FORTH IN THE MOTION TO INTERVENE IS HEREBY ACCEPTED AS FILED AND SERVED THIS DAY, FILED (M. ROSEN, JL &E 5/20/80 ENTERED & COPIES MAILED

Date		Proceedings
123	May 20	ORDER THAT ANY MATERIALS WHICH ARE TO BE DELIVERED TO THE CHAMBERS OF THE JUDGES OF THIS COURT SHALL, WHEN DELIVERY IS INTENDED FOR CHAMBERS OF JUDGE MAX ROSENN, BE MAILED OR DELIVERED TO JUDGE ROSENN'S CHAMBERS IN WILKES-BARRE, PENNA.. IF ANY MATERIALS ARE SO VOLUMINOUS AS TO MAKE THIS IMPRACTICAL, THE PARTIES SHALL CONTACT JUDGE ROSENN TO ARRANGE DELIVERY, FILED 5/20/80 ENTERED & COPIES MAILED EC
124	Jun 4	Plffs' request for admissions (Set No. 2), filed EC
125	Jun 10	Joint Documentary and Stipulated Record (Volume No. 1), filed
126	Jun 10	Joint ocumentary and Stipulated Record (Volume No. 2), filed
127	Jun 10	Joint Documentary and Stipulated Record (Volume No. 3), filed
128	Jun 10	Joint documentary and Stipulated Record (Volume No. 4), filed
129	Jun 16	Defts' brief on The Standards for Determining Justiciability, Standing, Ripeness, Mootness, and their applicability to plffs' claims, filed
130	Jun 16	Defts' brief on the Standard of Judicial Review, filed
131	Jun 16	Defts' trial brief on plffs' claims that the Military Selective Service Act creates an unconstitutional Gender-Based Distinction, filed

Date		Proceedings
132	Jun 16	Plffs' Memorandum sur Standards and Burdens filed pursuant to Order of Feb. 19, 1980, filed
133	Jun 17	Stipulation with respect to trial testimony of intervenor plff, Robert Goldberg, filed
134	Jun 23	Plfi's' reply memorandum to defts' memoranda filed 6/16/80, filed
135	Jun 24	Defts' reply brief on Burden of Proof, filed
136	Jun 24	Defts' response to plffs' pretrial memorandum sur applicable Standard of Law and Burden of Proof governing issues of Mootness, Ripness and Standing, filed
137	Jun 24	Defts' reply brief on the standard of judicial review, filed
138	Jun 24	Defts' reply brief on class certification, filed
139	Jun 24	MOTION TO INTERVENE CARTER FAUST AND STEVEN GOLDBERG AS PARTY PLFFS, FILED
140	Jun 25	PLFFS' MOTION TO JOIN ROBERT J. LaROCCA AS PARTY PLFF AND MEMORANDUM IN SUPPORT, FILED
141	Jun 26	Plffs' designation of record—volume V, filed
142	Jun 26	Stipulation with respect to testimony of intervenor-plff Owen F. Jones, filed
143	Jun 30	Memorandum of Law in support of motion to intervene Carter Faust and Steven Goldberg as party plffs, filed
144	Jun 30	Joint Documentary and Stipulated Record, filed
145	Jun 30	Plffs' designation of stipulated record volumes I through IV, filed

Date		Proceedings
146	Jun 30	Trial Brief of plffs and intervenor plffs on the unconstitutionality of the male-only conscription statute, filed
147	Jul 2	Plffs' proposed findings of fact, filed
148	Jul 2	Plffs' Transcript of Congressional History from 1948, filed
149	Jul 2	MOTION TO JOIN BRUCE JOSEPHS AS PARTY PLFF, FILED
150	Jul 2	MOTION TO JOIN ROSS HUNTER AS PARTY PLFF, FILED
151	JUL 2	MOTION TO JOIN STEPHEN RETHERFORD AS PARTY PLFF, FILED
152	JUL 2	Affidavit of Robert J. Larocca in Support of his Motion for party plff, filed
153	Jul 14	ORDER THAT THE MOTION OF ROBERT J. LA ROCCA TO JOIN AS A PARTY PLFF IS DENIED; THE MOTION OF CARTER FAUST AND STEVEN GOLDBERG TO INTERVENE IS DENIED AND THE MOTION OF PLFTS TO HAVE THIS CASE CERTIFIED AS A CLASS ACTION IS GRANTED, IN ACCORDANCE WITH FED. R. CIV. P. 23(b)(2) A CLASS IS HEREBY CERTIFIED CONSISTING OF ALL MALE PERSONS WHO ARE REGISTERED OR SUBJECT TO REGISTRATION UNDER MALE PERSONS WHO ARE REGISTERED OR SUBJECT TO REGISTRATION UNDER 50 U.S.C. §453 OR ARE LIABLE FOR TRAINING AND SERVICE IN THE ARMED FORCES OF THE UNITED STATES ETC., FILED (Max Rosen, Circuit Judge Jos. S. Lord, III Chief

Date		Proceedings
		District Judge and Edward N. Cahn, District Judge)
154	July 15	STIPULATION AND ORDER DATED 7/15/80 THAT BERNARD ROSTKER, CURRENT DIRECTOR OF THE SELECTIVE SERVICE BE SUBSTITUTED FOR CURTIS TARR AS A DEFT IN THIS ACTION, FILED 7/15/80 ENTERED & COPIES MAILED EC
155	July 15	Letter dtd. 7/15/80 to Judges Rosenn, Lord & Cahn from Donald L. Weinberg, Esq. re: Response to the letter brief to the Court from defense counsel, dated 7/9/80 etc., filed
156	July 17	PLFTS' MOTION FOR INTERIM RELIEF AND NOTICE, FILED
157	July 18	MEMORANDUM CAHN J. AND ORDER ROSENN CIRCUIT JUDGE, LORD 111 CHIEF JUDGE AND CAHN J. THAT CLASS IS REDEFINED TO INCLUDE ALL MALE PERSONS WHO ARE REGISTERED UNDER 50 USC OR ARE LIABLE FOR TRAINING AND SERVICE IN THE ARMED FORCES OF THE U.S. AND WHO ARE ALSO EITHER SUBJECT TO REGISTRATION UNDER PRESIDENTIAL PROCLAMATION NO. 4771. THE MILITARY SELECTIVE SERVICE ACT 50 USC IS DECLARED TO BE IN VIOLATION OF THE IFTH AMENDMENT TO THE U.S. CONSTITUTION. DEFTS. ARE HEREBY PERMANENTLY ENJOINED FROM REQUIRING THE REGISTRATION UNDER THE MILITARY SELEC-

Date		Proceedings
		TIVE SERVICE ACT OF ANY MEMBER OF THE PLFF. CLAS. ETC., FILED. 7/18/80 entered & copies servied on all counsel per order of court.
158	July 18	NOTICE OF APPEAL OF THE DEFTS TO THE SUPREME COURT OF THE UNITED STATES, FILED
159	July 18	DEFTS' MOTION FOR STAY PENDING APPEAL WITH AFFIDAVIT OF JOHN P. WHITE, DEPUTY DIRECTOR OF THE OFFICE OF MANAGEMENT AND BUDGET, FILED (SUPREME COURT NO. 80-251)
160	July 18	Points and authorities in support of defts' motion for a stay pending appeal
161	July 18	ORDER THAT DEFTS' MOTION FOR A STAY PENDING APPEAL IS DENIED, FILED 7/18/80 ENTERED & COPIES MAILED (LORD, Chief Judge)
162	July 22	ORDER, CAHN, J. AMENDING FIRST SENTENCE OF PAGE 24 OF OPINION OF 7/18/80, FILED 7/23/80 entered and copies mailed
163	July 24	Certified copy of order Supreme Court of the U.S. that execution & enforcement of order of this court is stayed pending timely docketing of an appeal, filed.
164	July 29	ORDER DATED 7/28/80 THAT JUDGMENT IS ENTERED IN FAVOR OF PLFFS. ROBERT L. GOLDBERG, ET AL AND AGAINST THE DEFTS. BERNARD ROSTKER, ET AL, FILED. 7/30/80 entered & copies mailed. EC
165	Aug 4	Defts' List of the Court's Citations to the Revised Record, filed

Date		Proceedings
166	Aug 4	Joint documentary and Stipulated Record (Volume I), filed (REVISED)
167	Aug 4	Joint Documentary and Stipulated Record (Volume II), filed (REVISED)
168	Aug 4	Joint Documentary and Stipulated Record (Volume III), filed (REVISED)
169	Aug 4	Joint Documentary and Stipulated Record (Volume IV), filed (REVISED)
170	Aug 6	Transcript of 7/18/80 (Hearing on Govt's Application for a Stay), filed
171	Aug 7	ORDER DATED 8/6/80 AMENDING THE COURT'S OPINION OF 7/18/80 ETC., 8/7/80 ENTERED & COPIES MAILED EC
172	Sept 4	Joint Documentary and Stipulated Record (Revised) Volume V, filed
173	Oct 7	ORDER THE CLERK OF THIS COURT IS DIRECTED TO CERTIFY AND TRANSMIT TO THE CLERK OF THE SUPREME COURT OF THE U.S. THE REVISED JOINT DOCUMENTARY AND STIPULATED APPENDIX ETC., FILED.10/8/70 entered & copies mailed. EC
	Oct 9	Document Nos. 166, 167, 168, 169 and 172 transmitted to Supreme Court of The United States pursuant to Order of Court dated 10/7/80.

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Civil Action No. 71-1480

ROBERT L. GOLDBERG, ET AL., PLAINTIFFS,

v.

CURTIS TARR, ET AL., DEFENDANTS.

RESPONSES TO PLAINTIFFS' INTERROGATORIES (SET NO. 2)

I, Major General R. Dean Tice, as Deputy Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics) (Military Personnel Policy), respond to plaintiffs' Second Set of Interrogatories as follows:

INTERROGATORY NO. 9: Identify all documents which, since the date of your last response to Plaintiff's Interrogatories To Defendants (Set No. 1—Supplementary), have been prepared in whole or in part by personnel of the United States Government, particularly including but without limitation military or civilian personnel of the Department of Defense and of the Armed Forces of the United States dealing in whole or in part, with the following topics:

(a) Current and projected utilization of women as military personnel by the United States;

(b) Utilization by the United States of women as military personnel in time of previous wars;

(c) Performance of women as military personnel of the United States in times of previous wars;

(d) Capability of the United States to utilize women as military personnel in peacetime and/or time of war;

(e) Current utilization of women as military personnel by any other nation(s);

(f) Utilization by other nation(s) of women as military personnel in time of war or other hostilities;

(g) Performance of women as military personnel of other nation(s) in time of war or other hostilities;

(h) Past or present conscription, or the feasibility of conscription, of women into the Armed Forces of the United States or other nation(s); or

(i) Performance as military personnel of women so conscripted, which have not heretofore been produced for inspection and copying by plaintiff.

RESPONSE: The Department of Defense maintains numerous documents pertaining to the military utilization, performance and capability of women. It is conservatively estimated that the total number of such documents located in the Office of the Secretary of Defense, the Service Headquarters, the Service Military Personnel Centers, the Service Major Field Commands, the Separate Operating Activities, and individual bases, posts, and stations would run into the thousands. The Department of Defense does not contend that the documents listed below constitute all documents which deal with the utilization of women in the military, but these comprehensive and encompassing documents provide extensive information on utilization policy and procedures. Documents (a) through (f) are attached. We are obtaining the document described in subparagraph (g) and (h) and will provide them to the plaintiffs as soon as they are available. The final study listed, *Women in the Military*, is not a DOD study. Copies can be obtained from The Brookings Institute, 1775 Massachusetts Avenue, N.W., Washington, D.C.

(a) America's Volunteers: A report on the All-Volunteer Armed Forces, December 31, 1978, Office of the Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics). (Attachment 1);

(b) Use of Women in the Military, May 1977, (Second Edition—September, 1978), Office of the Assist-

ant Secretary of Defense (Manpower, Reserve Affairs, and Logistics). (Attachment 2);

(c) Statement by Robert B. Pirie, Assistant Secretary of Defense, Manpower, Reserve Affairs, and Logistics. Before the Subcommittee on Military Personnel, Committee on Armed Services, House of Representatives, Hearings on Women in the Military, November 13, 1979 (Attachment 3).

(d) Statement by Robert B. Pirie, Assistant Secretary of Defense, Manpower, Reserve Affairs, and Logistics and Dr. Bernard Rosther, Director, Selective Service System before the Subcommittee on Military Personnel, Committee on Armed Services, House of Representatives, Hearings on Registration of Women, March 5, 1980. (Attachment 4).

(e) Profile, October 1979. Periodic DOD publication. (Attachment 5).

(f) Women Content in the Army REFORGER 77, 30 May 1978. U.S. Army Research Institute (Attachment 6).

(g) Evaluation of Women in the Army, March 1978, U.S. Army Administration Center.

(h) Women Content in Units Force Development Test, October 3, 1977, U.S. Army Research Institute.

INTERROGATORY NO. 10: Identify all documents which, since the date of your last response to Plaintiff's Interrogatories to Defendants (Set No. 1—Supplementary), have been prepared pursuant to any grant, commission or contract in whole or in part for use by the United States Government or its personnel, particularly including but without limitation the personnel of the Department of Defense and of the Armed Forces of the United States which relate in whole or in part to subjects listed in Interrogatory 9 and which have not been produced for inspection and copying by plaintiff.

RESPONSE: See Response to Interrogatory No. 9 and No. 13.

INTERROGATORY NO. 11: As to each document identified in response to Interrogatories 9 and 10, identify by name, rank, office address and telephone number the present custodian of the original of such document and of each copy thereof.

RESPONSE: The documents produced in response to Interrogatory Nos. 9, 10, and 13 have been in the possession of Lt. Colonel Albert H. Schroetel, USAF, who is stationed at the Pentagon. The documents identified but not produced are in the custody of the activity which prepared them.

INTERROGATORY NO. 12: Identify each military occupational specialty in the United States Army and as to each such specialty, state (a) whether women are presently eligible for the specialty, (b) the number of women presently serving in that specialty, (c) the number of women in the United States Army qualified for assignment in that specialty, (d) the number of women permitted to serve in that specialty, and (e) the total number of United States Army personnel assigned in that specialty.

RESPONSE: The information sought by this interrogatory is presently being compiled through various computer runs and will be provided to plaintiffs upon the completion of that process. It is estimated that the information will be available by April 18, 1980.

INTERROGATORY NO. 13: Identify all projects or studies carried out, in whole or in part since June 15, 1974 concerning the potential or actual utilization or performance of women in the Armed Forces, and as to each such project or study state:

(a) The name, rank, present address and telephone number of the last known person in charge of the project or study;

(b) The title, length and present location of all reports generated by or arising out of such project or study; and

(c) The person or persons for whom the project or study was or is being done.

RESPONSE: In addition to the documents listed in response to Interrogatory No. 9 and provided to the plaintiffs, the below listed studies are identified as being pertinent to this interrogatory. Again, these do not represent all studies, only those which are considered major and encompassing. These documents can be obtained by contacting Lt. Col. A.H. Schroetel, who is stationed in the Pentagon, Washington, D.C. 20301.

(a) Migrations of Women to and from Nontraditional Military Occupations, General Research Corporation, McLean, Va., July 15, 1979.

(b) Ammunition Loading and Fire Test—Pretest Physical Condition of Female Soldier Participants—(U.S. Army Human Engineering Laboratory).

(c) Intentions of Women (18–25 years old) to Join the Military: Results of a National Survey—Naval Personnel Research and Data Center (NPRDC).

(d) Pregnancy in the Navy: Impact on Absenteeism, Attrition and Workgroup Morale—(NPRDC).

(e) Project Athena III—Report of the Admission to the U.S. Military Academy—(USMA, West Point, N.Y.).

(f) Male and Female Soldiers' Beliefs about the Appropriateness of Various Jobs for Women in the Army—(Fort Benjamin Harrison, Ind.).

(g) Comparison of ASVAB test-retest results of Male and Female Enlistees—USAF Human Resources Laboratory (HRL), Brooks AFB, Texas.

(h) Characteristics of Women in the Air Force: 1970 through 1973—USAF (HRL).

(i) Utilization of Women in Industrial Career Fields—USAF (HRL).

(j) Characteristics of Air Force Accessions: Jan 1975 through Jun 1977—USAF (HRL).

(k) Air Force Female Pilots Program: Initial Performance and Attitudes—USAF (HRL).

The above answers are true and correct to the best of my knowledge.

/s/ _____

R. DEAN TICE
Major General, U.S.A.
Deputy Assistant Secretary of Defense (Manpower Reserve Affairs and Logistics) (Military Personnel Policy)

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Civil Action No. 71-1480

ROBERT L. GOLDBERG, ET AL. PLAINTIFFS,

v.

CURTIS TARR, ET AL., DEFENDANTS.

DEFENDANTS' RESPONSE TO PLAINTIFFS' INTERROGATORIES (SET NO. 5)

I, Margaret C. Love, as attorney for defendants, respond to plaintiffs' Fifth Set of Interrogatories, as follows:

INTERROGATORY NO. 28: State all "legislative facts", if any, upon which defendants contend Congress relied or found in support of the exclusion of females from registration for conscription into the Armed Forces.

RESPONSE: The information necessary to respond to this interrogatory may be found in the following public documents:

(a) Military Selective Service Act of 1948 (62 Stat. 604);

(b) Senate Report No. 1268, 80th Cong., 2d Sess. (1948);

(c) House Report No. 1881, 80th Cong., 2d Sess. (1948);

(d) Senate Report No. 117, 82d Cong., 1st Sess. (1951);

(e) House Report No. 271, 82d Cong., 1st Sess. (1951);

(f) Conference Report No. 535, 82d Cong., 1st Sess. (1951);

(g) Senate Report No. 209, 90th Cong., 1st Sess. (1967);

(h) House Report No. 267, 90th Cong., 1st Sess. (1967);

(i) Conference Report No. 346, 90th Cong., 1st Sess. (1967);

(j) Senate Report No. 226, 96th Cong., 1st Sess. (1979);

(k) Women's Armed Services Integration Act of 1948 (62 Stat. 368);

(l) Senate Report No. 567, 80th Cong., 2d Sess. (1948);

(m) House Report No. 1616, 80th Cong., 2d Sess. (1948);

(n) Hearings Before The House Subcommittee on Organization and Mobilization, 80th Cong., 2d Sess. (1948).

INTERROGATORY NO. 29: Identify by name and last known business and residence address and telephone number all persons having knowledge of such "legislative facts" or who have supplied defendants with information concerning such legislative facts.

RESPONSE: The information requested by this interrogatory is public information which may be found in the documents described in defendants' Response to Interrogatory No. 28.

INTERROGATORY NO. 30: Identify all documents reflecting or referring to the consideration or finding by Congress of such legislative facts.

RESPONSE: *See* Response to Interrogatory No. 29.

I hereby swear under penalty or perjury that the foregoing answers are true and correct to the best of my knowledge.

Executed on: *April 24, 1980*

/s/ _____

MARGARET C. LOVE

PRESIDENTIAL RECOMMENDATIONS FOR SELECTIVE SERVICE REFORM

A Report to Congress
Prepared Pursuant to
P. L. 96 - 107

February 11, 1980

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Appendix

1. Section 811 of Public Law 96–107 62

RECOMMENDATIONS FOR SELECTIVE SERVICE REFORM

EXECUTIVE SUMMARY

On November 9, 1979, the Defense Authorization Act of 1980 (P.L. 96–107) became law. Section 811 of that Act called for the President to send to the Congress a plan for the fair and equitable reform of existing law providing for the registration and induction of persons for military service. The Congress asked for a review of ten issues that have been grouped into the following broad topics:

—Revitalizing the Selective Service System

—Induction authority

—Meeting the Armed Forces' personnel requirements

—National services

To review these issues, the Administration convened an interagency task force that examined initiatives to maintain and improve our active and reserve Armed Forces, and our capability to mobilize trained and untrained manpower in the event of a national emergency. This report presents the findings of the interagency task force.

REVITALIZING THE SELECTIVE SERVICE SYSTEM

The active and reserve forces were never intended to fight without augmentation by draftees in the event of a major national emergency. Since 1973, however, the Selective Service System (SSS) has been reduced to a planning and training organization of less than 100 full-time personnel supported by reservists. The capability of a standby SSS to process untrained manpower as part of a potential mobilization has been a source of concern. Therefore, a variety of steps are called for to enhance the Selective Service System's capability to mobilize manpower.

In his State of the Union Address on January 23, 1980, the President called for revitalizing the Selective Service System. He announced his intention to resume registration in mid-1980 for all those born in 1960 and 1961. Those

who will turn 19 during 1981 will register in January, and continuous registration of 18-year olds will also begin in January.

To register, an individual will fill out a simple form (name, address, sex, birthdate and social security number) at a local post office. After the SSS receives the form, the registrant will be sent an acknowledging receipt. No draft cards will be issued. No classification or examination of the registrant will be required.

The President would have to seek additional authority from the Congress before anyone in the pool of registrants could be inducted into the Armed Forces. He has no intention of doing so under present circumstances.

The decision to revitalize the Selective Service System and to renew registration will substantially improve the Selective Service's ability to respond. While the system will still be in "standby", there will now be an actual registration, rather than a registration contingency plan. The other components of the system will also be improved. The steps to be taken include providing the computer capacity to process data on the registrants; developing a process for recruiting and training local draft board members in the event of a mobilization; and planning a system for processing claims and appeals.

Selective Service has provided for interim computer processing adequate for registration and for any contingency that may arise. Selective Service has also developed a long term plan for a joint computer center to be shared with the Defense Department's Military Enlistment Processing Command. Registrant records within this computer center would be accessible only to authorized SSS employees. In the event of mobilization, the Emergency Military Manpower Procurement System assures an orderly process from registration through examination and classification to induction and training.

To plan for the availability of trained local boards, should mobilization ever be necessary, the SSS will work with the Governors over the next 18 months to develop a process for recruiting and training members of local

boards. The boards would thus be prepared to process claims and appeals. This would insure the equity of the process.

The local boards would have to be supported by area offices, but creating and staffing these at the time of mobilization would be extremely difficult. Hence, the plan provides that the SSS would use space in 434 military recruiting service offices at mobilization. SSS would also use computer terminals in the recruiting offices. Their staffs would be pre-trained and ready to carry out the SSS mobilization mission.

Carrying out these steps requires that the President's FY 1980 supplemental and 1981 amended budget requests for the Selective Service System be enacted.

INDUCTION AUTHORITY

Congress asked that three questions be examined concerning Presidential authority to induct people into the Armed Forces: The desirability of legislation to provide the President with induction authority in peacetime; whether there should be an Individual Ready Reserve (IRR) draft; and whether registration and conscription should extend to women.

With respect to the first question, the need for induction authority has been, and should continue to be, a matter of mutual agreement between Congress and the President. In any mobilization, the Administration would immediately submit legislation to amend the Military Selective Service Act to allow the President to begin inductions from the existing list of registrants.

The second question relates to manning our forces. The Individual Ready Reserve is a primary source at mobilization of pretrained individuals to bring forces to wartime strengths and to provide replacements for casualties.

The transition to an all-volunteer force brought longer periods of active duty for individuals, and reduced the period of reserve obligation and number of people serving in the IRR.

The FY 1981 Ready Reserve program concentrates on strengthening the Selected Reserve units so fewer Individual Ready Reservists would be needed to fill out these units in time of mobilization or war. Steps are also being taken to strengthen the IRR to correct the current shortfalls.

The appropriate mobilization manpower levels could be maintained through a voluntary system or through an IRR draft. In a peacetime situation, an IRR draft is neither necessary nor desirable and initiatives are underway to build such forces to appropriate levels without it.

The third induction authority issue the Congress has posed is whether women should be subject to registration and induction under the Military Selective Service Act. The President has decided to seek authority to register, classify and examine women for service in the Armed Forces. There are 150,000 women serving successfully in the Armed Forces today, and by 1985 it is estimated that there will be approximately 250,000 women in the Armed Forces.

However, the number of women who could fill needed job classifications in mobilization is dependent on military policy and legislative restrictions.

Under current military policy, women are not assigned to jobs involving close combat. The Secretary of Defense has stated his intent to continue that policy.

There are now also legislative restrictions involving the use of women in the Navy, Marines and Air Force. This Administration has asked Congress to remove the restrictions in order to allow the DOD discretion in deciding the best use of individuals in military service. The Administration has stated that even absent legislative restrictions we would continue a policy of not assigning women to close combat positions.

A substantial number of support jobs must be reserved for men so that they will be available if needed as close combat replacements. These factors would limit the number of women needed in the event of mobilization and

thus prevent men and women from being inducted in equal numbers. Equity can be achieved by registering both men and women and then providing that they serve in proportion to the ability of the Armed Forces to use them effectively. Conscriptions would be based upon actual military personnel needs at the time.

MEETING THE ARMED FORCES' PERSONNEL REQUIREMENTS

In a national emergency, strong, well-trained active and reserve forces are essential.

The Administration has taken several steps with respect to the active forces to insure that we maintain our strength. Over the past three years, in spite of a difficult recruiting market, enlistment of high quality volunteers has remained high, first-term attrition has declined, and retention rates at the first reenlistment point have increased. In 1979, the services achieved a personnel level of 98.5 percent of authorized active duty strength. This is in line with levels over the past five years. However, the Department of Defense remains concerned about its ability to continue recruiting enough people of high mental ability and educational attainment. This is particularly true for the Army because it fares worse than the DOD average with respect to both of these rough measures of recruit quality.

Sustaining the AVF is not only a matter of attracting new recruits. It also depends on the Services' ability to retain personnel of high quality. Reenlistments must provide for a force of experienced career military personnel in order to operate and maintain an increasingly complex force. Service members who joined the AVF in the early years are remaining beyond their initial obligation at a satisfactory rate. First-term reenlistment rates have increased substantially, from 24 percent in 1973 to 34 percent in 1979. An even greater increase in first-term retention—particularly in critical skill areas—is the keystone of our strategy to reduce the need for new recruits.

While retention of first-term personnel is encouraging, retention of career personnel is a matter of concern, especially in the Navy. To aid in recruiting and retention, the 1981 budget includes an increase of $500 million for larger enlistment and reenilstment bonuses, expanded bonus authority, improvements in pay and benefits and increased travel allowances.

As for the Ready Reserve, Selected Reserve strength increased over 19,000 during 1979, for the first net gain in total Selected Reserve strength since 1974. None of the Reserve Components declined in strength. Most of the overall strength increase was due to improved retention; however, the Naval Reserve, Army Reserve and Army National Guard experienced significant increases in new recruits. Use of full-time recruiters and other actions taken to improve both recruiting and retention are expected to produce further increases in Army Guard and Reserve strength in 1980. Continued increases in unit strengths are projected in 1981 and beyond. Emphasis is being placed on better utilization of trained personnel and on more intensive and effective unit training programs. These include proposals to allow Guard and Reserve units to participate in major training exercises and overseas tactical deployments for training.

Finally, the Individual Ready Reserve strength of the Army increased by 16 percent in 1979, and is expected to continue to grow.

NATIONAL SERVICE

The Congress required that we examine and make recommendations with respect to:

> "The desirability, in the interest of preserving discipline and morale in the Armed Forces, of establishing a national youth service program permitting volunteer work, for either public or private public service agencies, as an alternative to military service."

The four generic models examined in the report are:

—Voluntary broad-based national service

—Compulsory broad-based national service

—Voluntary targeted national service

—Compulsory lottery-based national service

We recommend against any national compulsory domestic service at this time. We note that the volunteer force is adequate to meet projected defense personnel needs; that through programs operated by ACTION, Department of Labor and other agencies, State and local governments and the private sector, opportunities for voluntary service are widely available; and that the federal government supports a substantial program of targeted employment and training opportunities for disadvantaged youth. The Administration has proposed a major expansion of these in its new youth education and employment legislation.

The compulsory lottery-based national service alternative is the most promising of the four models examined in the context of this report. It should be studied further in contingency planning for any actual military conscription in a national emergency, bearing in mind the serious practical and conceptual problems raised in this report.

PART I
REVITALIZATION OF THE SELECTIVE SERVICE SYSTEM

INTRODUCTION

As part of the debate over the future of the selective Service, the Congress, in the 1980 Defense Authorization Act, asked the President to address a number of issues pertaining to military manpower procurement policies and the appropriate posture for a "standby" Selective Service.

This part of the report addresses five of the issues posed by the Congress:

- The desirability and feasibility of resuming registration under the Military Selective Service Act;
- The desirability and feasibility of establishing a method of automatically registering persons under the Military Selective Service Act through a centralized automated system using school and other existing records, together with a discussion of the impact of such a registration on privacy rights and on other constitutional issues;
- Whether persons registered under such Act should also be immediately classified and examined or whether classification and examination of registrants should be subject to the discretion of the President;
- Such changes in the organization and operation of the Selective Service System as the President determines are necessary to enable the Selective Service System to meet the personnel requirements of the Armed Forces during a mobilization in a more efficient and expeditious manner than is presently possible; and
- Such other changes in existing law relating to registration, classification, selection and induction as the President considers appropriate.

On January 23, 1980, the President, while reiterating support for the All-Volunteer Force (AVF), called for the

revitalization of the Selective Service System and said that he would send legislative and budget proposals to the Congress "so that we can begin registration and then meet the future mobilization needs rapidly if they arise." He found: That the international situation demanded an improved United States military posture; that part of this posture was the credibility of the Selective Service to respond in an emergency; and that an operating registration system was necessary in this context. In making his decision, the President ruled out non-participatory registration and the classification and examination of registrants at this time.

BACKGROUND

Since 1973, the Armed Forces of the United States have operated under an AVF concept. The last draft calls were issued in December 1972; statutory authority to induct expired in June 1973. On April 1, 1975, the President suspended the requirement that those subject to the Military Selective Service Act (MSSA) register with the Selective Service System. Classification ended in FY 1976. Even though inductions under the MSSA have been terminated, the Selective Service System must be ready to provide the untrained manpower that will be required to staff our Armed Forces during a military emergency. The specific requirement—numbers of people and delivery schedule—are established by the Secretary of Defense. To meet this requirement Selective Service must, at a minimum, be able to start inductions within 30 days after mobilization (M+30), induct 100,000 people by no later than M+60 and accomplish 650,000 inductions within 180 days.

The ability of the Selective Service to meet this schedule has been the subject of a number of critical reviews, including a major President's Reorganization Project Study. Each study concluded, as did the then Acting Director of Selective Service in a report to the Congress (March 1979), that, Selective Service does "not presently have the capability to meet the Department of Defense wartime manpower requirements from our 'deep standby' status."

THE REVITALIZED SELECTIVE SERVICE SYSTEM

The President's decision to revitalize the Selective Service System and to initiate registration will substantially improve Selective Service's ability to respond to future emergencies. The President's decision requires that Selective Service substitute an actual registration system for a registration contingency plan and accelerate the process of improving the other components of the Selective Service System.

The *new* standby Selective Service System has five key components which together constitute the Emergency Military Manpower Procurement System (EMMPS). The components are:

- *A registration process* that is reliable and efficient.
- *An Automated Data Processing (ADP) System* that can handle Selective Service's pre- and post-mobilization requirements.
- *A system for the promulgation and distribution of orders for induction.*
- *A claims process* that can quickly insure that all registrants' rights to due process are protected.
- *A field structure* that can support the claims process.

REGISTRATION

How: The United States Postal Service (USPS) has agreed to undertake the task of face-to-face registration. The USPS is ideally suited to undertake this task because it has a single organization structure with facilities and personnel, and a communication/transportation network extending to every corner of the country. There are over 34,000 post offices and the USPS employs over 650,000 people. Postal locations are widely known. USPS has also provided similar services for the Department of State (passport applications) and for the United States Immigration and Naturalization Service (alien registration). In 1979 alone, the USPS processed over 1 million passport applications, and registered over 4 million aliens.

When: The Administration is currently developing plans and will determine in the near future exactly when registration will take place.

Who: The Congress, through the Military Selective Service Act (MSSA) has provided that males between the ages of 18 and 26 have a legal obligation to register with the Selective Service at the time and place and in the manner the President prescribes. There are approximately 16 million men who have this obligation. The President has proposed that women also register; this would raise the total to 32 million people.

When the draft was suspended in 1973, Selective Service was operating under a series of legal and regulatory reforms designed to correct the inequities of the draft during the Vietnam period. Specifically, the 1971 reforms eliminated student and occupational deferments, and instituted a national lottery. Regulatory reforms cancelled the "oldest first" policy and replaced it with the policy of year of vulnerability/youngest first, thus reducing the years of uncertainty which characterized earlier drafts. Selective Service will carry out these reforms, and will register only sufficient year of birth groups to insure that it can meet the needs of our Armed Forces.

Young men (and women when authorized by the Congress) born in 1960 and 1961 will be asked to register with Selective Service at a time the President will prescribe. In January 1981, Selective Service will ask those born in 1962 to register and, at the same time it will also initiate continuous registration of 18 year olds, i.e., young men (and women when authorized by the Congress) will register on, or about the day they turn eighteen.

If it ever becomes necessary to draft anyone, Selective Service will operate under the concept of random selection based upon year and date of birth. The first year-of-birth group from which inductees will be drawn is the one that contains those who reach age 20 in a given calendar year. Registering only those born in 1960 and 1961 will provide a sufficiently large initial pool of people to meet the needs of the Department of Defense. If it were to become neces-

sary to increase the size of the pool, Selective Service would undertake a supplemental registration of those born before 1960, who are subject to the MSSA. The size of the pool will, however, increase over-time as 18 year olds register each year and Selective Service keeps current the records of those previously registered.

Under the above plan, Selective Service will register about 8 million males and females in the near future, and 4 million more by next January. It will register about 4 million people per year thereafter.

ADP SUPPORT

In order to process the initial registration of two year of birth groups, Selective Service will make use of the keypunch capacity of the Social Security Administration (SSA) and/or the Internal Revenue Service (IRS). Both agencies have agreed to support Selective Service. The SSA advises that they could do this job using some portion of the 1,200 terminals at Wilkes Barre, Albuquerque and Salinas. The IRS has over 4,000 data entry terminals located in 10 regional centers, which are conveniently located near USPS centers. During the tax return period of January to June, the IRS has about 6,000 data entry personnel onboard. During the non-tax period of July to December, the staff is reduced to about 1,500 personnel.

The present Selective Service computer is inadequate to do the total job of managing data files, running EMMPS, and supporting area offices and the claims process. Current hardware cannot be expanded to support these tasks. In deciding how best to meet computer needs, Selective Service must make sure that any new ADP system facilitates the entire registration-to-induction process. Responsibility for this process is shared by Selective Service and the DOD's Military Enlisted Processing Command (MEPCOM). Selective Service has the responsibility to:

- Register those subject to the MSSA.
- Determine the order of those who will be called for service.

- Classify individuals.
- Order registrants to take physical and mental examinations.
- Issue orders for induction.
- Adjudicate claims for deferments, postponements, and exemptions.

The Military Enlisted Processing Command, through its 67 Armed Forces Examining and Entrance Stations (AFEES), has the responsibility to:

- Provide physical and mental examinations.
- Induct qualified registrants into the Armed Services.

To provide short-term ADP capability, Selective Service has developed a plan that will ensure (1) an immediate capability to maintain and process registration data and issue orders of induction, if necessary in a national emergency; and (2) within a year, provide for an improved interface with MEPCOM. Selective Service will immediately establish the capability to manage the registrant data file, process change of address notices, and be ready to enter the registration data into the EMMPS in the event of a military mobilization. This will be accomplished by using the facilities of a contractor. The Department of Defense has agreed to provide interim computer support for EMMPS. The compatability of the DOD computer system with EMMPS was tested and demonstrated in December 1979. DOD computer support will be provided by the U.S. Army Management Systems Support Agency (USAMSSA).

The USAMSSA computer and contractor support is only temporary. Selective Service and MEPCOM have agreed to develop a joint computer center by January 1981. A joint center has many advantages. It will reinforce the link between the two organizations, e.g., in the event of mobilization the volume of data transmitted each day would be substantial and a joint facility would minimize delays and the need for an expensive telecommunications network. It would put Selective Service on a computer

solely dedicated to the military manpower procurement mission, and would help insure the coordination of manpower flows into the AFEES. The computer center will have sufficient data input capacity to handle Selective Service requirements for continuous registration and data file update (change of address). It will also have the ability to support local boards upon mobilization through 434 area offices which would be established. Computer terminals in each area office will be linked to the central computer and would be used to enter and update claims information.

The joint MEPCOM/SSS Computer Center will adhere to DOD and SSS policy that procedures and safeguards must be developed to insure that access to registrant data files of the SSS is in accordance with existing law.

PROMULGATION OF ORDERS FOR INDUCTION.

In the event of a call for inductions, there will be a single national draft call based upon random selection as provided for in the Emergency Military Manpower Procurement System (EMMPS). Actual induction orders will be issued by the Director of Selective Service, by direction of the President and under authority of Section 5(d) of the MSSA. Using the Selective Service master registration file, induction orders, in Random Sequence Number (RSN) order (based on the lottery), will be transmitted as Western Union Mailgrams. The Mailgrams will contain the following information:

- Identification of the inductee.
- Orders to report at a specific time to a designated AFEES.
- Information on procedures to follow if unable to comply with the induction order.
- Information on exemption and deferment rights.
- A simple claim for exemption or deferment form.
- The address of the inductee's local board/area office to which claims should be sent.

The area office, upon recept of a claim, will notify Selective Service Headquarters and will process the claim ac-

cording to standard Selective Service procedures. MEPCOM will also be notified of individuals ordered to AFEES and will report their status to Selective Service Headquarters.

CLAIMS PROCESSING AND THE SELECTIVE SERVICE FIELD STRUCTURE.

Under EMMPS, after receiving an order for induction a registrant may apply for a deferment or exemption. It has historically been, and will continue to be, the task of local draft boards supported by Selective Service Area Offices to adjudicate such claims. It is imperative that a claims structure be in place when orders for inducation are issued. Therefore plans and procedures are being developed for the selection and training of local and appeal board members. The FY 1980 Supplemental Budget contains funds for Headquarter's staff to initiate the process. The actual selection and training of members is funded in the FY 1981 Budget.

Selective Service also has streamlined its procedures to reconstitute essential area offices in support of local boards. The Secretary of Defense and the Director of Selective Service have agreed that, "in order to facilitate the operation of the Selective Service in support of the manpower procurement needs of the Department of Defense, we must better coordinate our planning and post-mobilization manpower system. In addition, it is appropriate that DOD, like other Federal agencies, provide support to the Selective Service during a national emergency. Such support from DOD might include but not be limited to computer and data processing, selected personnel, and facilities. However, DOD should not in any way be involved in the process by which the Selective Service adjudicates claims for deferment or exemption."

Selective Service has a cadre of 715 military reservists to reactivate the administrative field structure upon mobilization. Selective Service has entered into an agreement with DOD to use specific Armed Forces Recruiting Office facilities within 24 hours after mobilization. Re-

cruiting Service personnel will augment the Selective Service reservists for about 45 days after mobilization. These personnel will be identified by name, provided training and will participate in training exercises and field tests.

Also, Selective Service has restructured its reserve officer summer training to test its ability to mobilize State Headquarters and reestablish area offices. Selective Service reserve officers will visit the Armed Forces Recruiting Offices scheduled to support Selective Service during a mobilization. Equipment and personnel in these offices will be inventoried and local contacts with GSA, OPM, and the telephone company will be made. In addition, Selective Service will fully participate in the Department of Defense mobilization exercise planned for this fall.

CALENDAR OF EVENTS IN THE EVENT OF A MILITARY MOBILIZATION.

The mission of the Selective Service is to be ready, without notice, to provide the untrained personnel that will be required to staff our Armed Forces during a military emergency.

The President's action to reinstate registration does not change this mission. As previously noted, all that has happened is that the Selective Service will be substituting an operating registration system for a registration contingency plan. In the event of a national emergency and the reinstitution of the draft, the Selective Service, operating under EMMPS, will initiate the following process:

Time	*Events*
Pre-Mobilization	Individuals subject to the MSSA and in specific age groups register with Selective Service at local post offices.
M	The President declares a national emergency and asks Congress for the authority to induct.

Time	*Events*
M+1	Congress authorizes the President to induct personnel into the Armed Forces.
	The Selective Service conducts a lottery and establishes the "order-of-call" based on Random Sequence Number (RSN).
	The Director of Selective Service pursuant to regulations issued by the President under Section 5(d) of the Military Selective Service Act (MSSA) issues orders for induction in the proper RSN "order-of-call."
	Selective Service area offices open under an established agreement with the Department of Defense to make available selected recruiting command facilities and personnel.
M+2 to M+12	Registrants receive orders for induction and can: —report to an AFEES for processing, receive a physical and mental examination, and if found fit, be inducted.
	or
	—request an exemption or deferment.
	A registrant may request reclassification by filing a claim with an area office of the Selective Service.
M+13	First inductees report to their assigned military training bases.
M+28	The system, working at maximum capacity, processes the 100,000th inductee.
	(Analysis shows that the AFEES

Time	*Events*
	could perform at least 14,000 physical and mental examinations based on two shifts each day. The AFEES plan to operate six days per week, in the event of mobilization. Based upon an historical 50 percent physical and mental examination acceptance rate, the system could induct 7,000 per day, six days per week.)

STANDBY SELECTIVE SERVICE SYSTEM

The 1980 Defense Authorization Act required the President to consider:

- Non-participatory (computer-match) registration.
- Pre-mobilization registration.
- Pre-mobilization registration with classification.
- Pre-mobilization registration with classification and examination.

The previous discussion contained a detailed description of plans to revitalize the standby Selective Service System by initiating pre-mobilization registration and upgrading other components of the system. The following describes the other options:

Non-Participatory Registration. The Congressional Budget Office (CBO) and the General Accounting Office (GAO) proposed that Selective Service consider relying on existing computer files to create a list of draft eligibles instead of planning on a traditional face-to-face registration. This proposal was evaluated in terms of (1) Selective Service's ability to construct a list of sufficient size and accuracy from which to induct the required personnel, and (2) the impact of such procedures on the Privacy Act, on other related statutes, on the MSSA, and on Constitutional questions of equal protection and due process.

The Selective Service, in order to carry out the draft, needs the name, address, and birth date of males subject

to the MSSA. (If females are subject to the MSSA, it would also need to know the sex of the registrant.) At a minimum, it needs valid data (e.g. correct addresses) on sufficient numbers of people to insure that it can induct the required number of people; a 5:1 order to induct/induction ratio is anticipated and used for planning. A master list must be available no later than M+20 to insure that Selective Service can deliver the first inductees to Defense by M+30.

The most comprehensive data base available is the master Social Security Administration (SSA) file which contains all the needed data except current address. Based upon Selective Service's survey of five Federal agencies (Agriculture, HEW, Justice, Commerce, and Treasury); and the Education, Motor Vehicle and Voter Registration agencies in six states, it found the most comprehensive source of "current" addresses is the Internal Revenue Service (IRS).

The Congressional Budget Office, using Department of Labor employment statistics, has estimated that 85 percent of the 19-to-20 year old population work some time during each year, and therefore file an Income Tax Return. The Bureau of the Census reports that the mobility rate of the prime age group (18–26) ranged from 16 to 34 percent during the period 1975 to 1976. Selective Service's best estimate is that, unless a master list is updated regularly, approximately 25 percent of the addresses will be invalid by the end of the year. A merged SSA/IRS list will be most accurate immediately after April 15, and will become progressively inaccurate until the following year's filing. Given Selective Service estimates of an 85 percent IRS coverage and a 25 percent mobility rate, a master list with "valid" addresses may capture as little as 60 percent of the draft eligible population.

As noted, any registration system must be able to provide a list in about twenty days. CBO indicates that these agencies "already have a major tape exchange program in effect, and they estimate it would take about three to five days to merge the files . . ." However, in response to in-

quiries from Selective Service, Social Security indicated it would take a month to deliver the data, and IRS indicated two months to perform the match and create the merge file. It appears that in order to insure a master file, SSA and IRS data would have to be merged in the pre-mobilization period.

While the construction of a master list from SSA and IRS computer files is feasible, questions have been raised on privacy and constitutional guarantees of equal protection and due process. All Federal agencies surveyed advised that not only would the Privacy Act of 1974 have to be amended, but prohibitions on individual agencies would also have to be changed. (IRS has specific prohibitions in Title 26.) Moreover, IRS believes that, "to use the Internal Revenue Service system for the purpose suggested would adversely affect our extremely important mission in a number of ways. It may have a significant impact on compliance in the area of withholdings and return filings . . . if withholding records are used in the military induction process, draft protestors would be presented with an irresistible temptation to become tax protestors."

Non-participatory registration would require an amendment to the MSSA, and such an amendment would raises questions of due process and equal protection guarantees of the Constitution.

Under present mobilization plans, not everyone eligible to serve is likely to be called. A system in which induction into military service would be confined to those who have social security numbers, have filed an Income Tax Return, and have not moved, does not appear to be an equitable means for determining eligibility for military service This is particularly true since there are other ways open to the Congress—face-to-face registration—which guarantee the process under the law.

It is often argued that face-to-face registration will not provide more names and addresses than non-participatory registration, and, therefore, the two systems are equivalent. This does not appear to be correct. Selective Service estimates that a face-to-face registration will provide a list

over 98 percent complete compared to as little as 60 percent by means of computer merger. More importantly, as long as everyone is given a fair opportunity to register, 100 percent of the population eligible for military service under the MSSA will be legally accounted for, i.e., those who do not register may be in violation of the law.

Non-participatory registration also may violate standards of equal protection because two people who are identical, except that one recently moved, would be treated differently in terms of the probability they would have to serve. The administration of such a scheme would thus produce disparity of treatment of persons similar in all legally recognized ways.

Pre-Mobilization Registration with Classification. If pre-mobilization classification as well as registration was in effect, the Selective Service would modify its Emergency Military Manpower Procurement System (EMMPS) procedures. SSS would establish 434 area offices to support the classification workload of local draft boards. At the same time, 97 appeal boards would be established. Registrants would be given continuous opportunity to appeal or petition for change of classification.

Pre-mobilization classification of registrants would not improve mobilization response times. First inductions would still occur at M+12. One hundred thousand inductions would be made by M+28 and 630,000 by M+119. The benefit of classification before mobilization would not be in response time, but in a more orderly induction process, since orders would be issued only to those already classified. However, individuals who did not request reclassification in the pre-mobilization period might still do so during mobilization.

The additional costs incurred by reinstating pre-mobilization classification would be determined in part by the numbers classified.*

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*The costs presented here are programmatic estimates and have not been developed in sufficient detail to serve as budget estimates. The costs would be in addition to those required to reinstate registration.

Two sub-options were considered: (1) classify only enough registrants to insure the delivery of 100,000 qualified inductees, and (2) classify an entire year of birth group annually.

In order to provide 100,000 qualified inductees, Selective Service would classify approximately 500,000 registrants. Additional staff would be needed to handle classification questionnaires, make and maintain registrant files, request additional documentation when required, decide administrative reclassifications, support local boards, update data bases, notify registrants of results, arrange for personal appearances, and respond to queries.

If an entire year group (about 4 million men and women) is classified each year, added costs would approximately double, but with no increase in responsiveness.

Pre-Mobilization Classification and Examination. Under this concept, registrants with specified classifications would be ordered to an AFEES for pre-induction examination. Those found acceptable would be available for induction after a check of physical status. Army regulations provide that physical examinations are valid for one year. If an individual is inducted within a year after his examination, only a physical inspection is required. A delay of more than a year would call for a new examination.

Responsiveness would be improved because MEPCOM would be able to process pre-examined individuals more quickly. Current estimates are that MEPCOM could accept up to 17,500 pre-examined individuals per day and that about 16,000 of these (92 percent) would be found acceptable and inducted versus current processing estimates of 7,000 pre-registered but unexamined inductees.

As with pre-mobilization classification, two sub-options are: (1) examine sufficient numbers of classified registrants to insure 100,000 qualified inductees and (2) examine an entire year of birth group annually. In either case, induction orders would be issued on M+1, and inductions would begin at M+12, initially at a rate of 16,000 per day. If a portion of a year group is examined, 100,000 qualified

males could be inducted by M+16 and 650,000 individuals could be inducted by M+108. If the entire year group is examined in the pre-mobilization period, then the total 650,000 inductions could be made by M+56. Thus, both sub-options exceed DOD's stated requirements for inductees.

If a decision is made to examine only enough people to meet DOD's 60-day requirement, Selective Service would plan to order over 400,000 registrants for examination. Additional Selective Service resources would be added to process examination results, schedule transportation for the registrants to take examinations, answer queries, and schedule the additional workloads for local boards. One-time costs would increase in either case since additional area offices would need to be operational. The additional Selective Service recurring costs would total $10 million if part of a year group is examined and $50 million if an entire year group is examined annually.

The costs of the examination would be borne by the Department of the Army. The Office of the Army Deputy Chief of Staff for Personnel provided an estimate of $75.00 per examination based on the expected use of contract physicians. Re-examinations would cost about $10.00. Using these projected costs, examining part of a year group would cost about $30 million and examining an entire year group would cost over $200 million.

CONCLUSIONS AND RECOMMENDATIONS

Analysis of non-participatory registration suggests that while as a procedure it is technically feasible, it is not likely to be perceived as fair or equitable and would be subject to serious Constitutional challenge. For these reasons, the non-participatory registration concept has not been adopted.

With the President's decision to create a registrant data base and revitalize the SSS, classification or examination are not necessary at this time. The reduced delivery time provided by the other options is unnecessary at this time

and does not warrant the significant additional costs. This decision is always subject to review in light of the changing needs of the Armed Forces and the international situation.

PART II
INDUCTION AUTHORITY ISSUES

INTRODUCTION

This set of issues concerns the authority of the President to register, classify, examine and induct persons into the active Armed Forces and the Individual Ready Reserve. Specifically, the Congress has asked for a response on:

- The desirability of the enactment of authority for the President to induct persons registered under the Military Selective Service Act for training and service in the Armed Forces during any period with respect to which the President determines that such authority is required in the interest of the national defense.
- Whether women should be subject to registration under the Military Selective Service Act and to induction for training and service in the Armed Forces under such Act.
- The desirability and feasibility of providing authority for the President to induct persons into the Individual Ready Reserve.

Those issues are reviewed and conclusions and recommendations are presented in the following sections.

STANDBY PRESIDENTIAL INDUCTION AUTHORITY

Background

The draft was instituted during the Civil War and World War I by Acts of Congress, and Congress authorized use of the draft by the President beginning one year prior to U.S. involvement in World War II. This authority continued through World War II. After World War II, Congress allowed the draft law to expire for a brief period, but reinstated conscription during the Berlin airlift of 1948. For the following 25 years, the Congress delegated to the President the authority to determine when to initiate inductions. The 1948 law provided an induction authority for

a two-year period. The authority was extended for one year in 1950. Beginning in 1951, the induction authority was extended by Congress to the President for successive four-year periods. However, in 1971, the Congress, at the request of the Administration, extended the President's induction authority for only two years. The purpose of the Administration's request for only a two-year extension in 1971 was to allow time to phase into an All-Volunteer force.

The last call for inductees was issued by the Selective Service System in December 1972. On January 27, 1973, the Secretary of Defense announced the implementation of a "zero draft." The Nixon Administration did not request an extension of the President's induction authority in 1973. Congress allowed the authority to expire on July 1, 1973.

Other provisions of the Military Selective Service Act, including Presidential authority to register and classify young men, remained in effect.

Discussion and Conclusion

The following alternatives were reviewed:

- Provide authority for the President to induct persons if the President determines that such induction is required in the interest of national defense.
- Provide Presidential authority to begin induction upon Presidential declaration of a national emergency or Congressional declaration of national emergency or war.
- Continue with current arrangement; i.e., where Congress must enact the authority to induct.

The Military Selective Service Act presently authorizes the President to reinstate registration and classification but prohibits inductions without Congressional approval. The Administration supports the requirement for Congressional approval. In a nation where individual freedom is cherished, the decision to institute conscription is a serious matter and should be a shared responsibility of the Congress and the President. The Administration would

request the authority to conscript if this step were deemed necessary by the President.

However, sufficient time should exist after mobilization is announced for Congress to authorize induction by amending the current Military Selective Service Act (50 U.S.C. App. 451, *et seq*). The Administration does not seek additional statutory authority to induct.

REGISTRATION AND INDUCTION OF WOMEN

Background

Current Statutory Authority. The statutory authority for the draft expired in June 1973, ending a nearly continuous period of over 30 years of compulsory service for men. The current Military Selective Service Act provides standby authority to the President for the reinstitution of registration and classification for service in the Armed Services for young men between the ages of 18 and 26. There is no provision for the registration and classification of women. The President does not have authority to reinstate inductions for men or to induct women.

Women in the Service. The influx of women into the military during this decade has provided substantial evidence that women are capable of high quality performance in many military skills. The number of women in the military service has increased from 39,000 in 1969 to over 150,000 in 1979. They represent about 8 percent of the force and are projected to represent approximately 12 percent by 1985.

Current Laws and Policy. The Secretary of Defense and the Secretaries of the Military Departments set policy for the assignment of women within statutory restrictions imposed by Congress. The Department of Defense has asked that the statutory restrictions be removed. Repeal is needed to provide the Service Secretaries with greater flexibility in determining assignments. Current assignment policies are described below:

Army. Within the Army, there are no statutory restrictions on the assignment of women. The Secretary

of the Army determines where women may serve and, in conjunction with the Chief of Staff, develops policies and programs to employ Army women effectively. Current Army policy excludes women, both officer and enlisted, from those specialties and units which relate to close combat (infantry, armor, cannon field artillery, combat engineer and low altitude air defense units of battalion/squadron or smaller size). Women are assigned to combat support and combat service support units in divisions, including maintenance battalions, signal battalions, brigade level headquarters and certain artillery units.

Navy. For the Navy, Title 10 U.S.C. 6015, as amended, prohibits the assignment of women to permanent duty on vessels and aircraft that are engaged in combat missions. Female officers may be assigned to positions within all unrestricted line career fields, except submarine warfare and special warfare. These two specialties remain closed to women because of their close relationship to combat. Enlisted women in the Navy have access to 86 of the 100 ratings. The fourteen ratings excluded contain skills found primarily on combatant ships.

Air Force. Female officers in the Air Force may serve in all officer career fields but are excluded from some specific positions due to the provision in 10 U.S.C. 8549 that restricts women from being assigned to air crew positions on combat aircraft engaged in combat missions (primarily fighters, bombers, reconnaissance and tactical aircraft). Only four of 230 Air Force enlisted occupations are closed to women. These exclusions are due to either the legislative restrictions in Title 10 U.S.C. 8549 or Air Force policy.

Marine Corps. By policy the Marine Corps, like the Army, does not assign women to units whose primary mission is one of combat nor does it assign women to those military occupations which are primarily associated with combat units. Marines in the Fleet Ma-

rine Force must be frequently rotated from land duty to sea duty aboard combat vessels. Women are precluded by law from serving aboard these vessels. Sufficient billets must be set aside ashore for men assigned to these positions to provide for an equitable rotation policy. Therefore, no occupational field is allowed to have more women assigned than can support the established rotational policy of overseas tours for men. Moreover, no unit of the Fleet Marine Force is allowed to contain more than 10 percent women.

Discussion

The following alternatives were considered:

- Women should be exempt from Selective Service registration and induction into the Armed Forces.
- Women should be subject to registration and induction. However, the rate of induction of women should be based on the needs of the Armed Forces.
- Women should be subject to registration and induction for training and service in the Armed Forces in equal numbers with men.

Three arguments have been advanced for changing the law to allow women to be drafted:

- Women can perform well in skills and jobs needed by the military.
- The Armed Forces may need a female draft to meet total wartime personnel requirements.
- It is inequitable to limit the burden of compulsory service to males.

Job Performance by Women. Today over 8 percent of military personnel are women. Women have won promotions to the grade of Brigadier General, Rear Admiral, Major General, and numerous other leadership positions. Women are today performing well a wide variety of jobs in each of the services. A large number of military jobs are ones which women are also performing daily in civilian life.

The Military Requirements for Drafting Women. If the Military Selective Service Act is amended to provide for the registration and classification of both men and women, the pool of people available to be drafted would be doubled.

It is doubtful that a female draft can be justified on the argument that wartime personnel requirements cannot be met without them. The pool of draft eligible men (ages 18 to 26) is sufficiently large to meet projected wartime requirements. Furthermore, men, unlike women, can be assigned to any military position, including those combat jobs.

However, women can be used in large numbers in the peacetime and wartime force. Their presence could free more men for close combat jobs. The maximum number of women that can be used is subject to three constraints: (1) legislative prohibitions against the use of women in certain military positions, (2) the policy to reserve certain assignments, such as close combat roles, for men only and (3) the need to reserve a substantial number of noncombat positions for men in order to provide a pool of ready replacements for close combat positions.

A change in the Selective Service Act to permit the registration and induction of women would not necessarily mean that significant numbers of women would be drafted. If women were subject to the draft, the Department of Defense would determine the maximum number of women that could be used in the military forces subject to the three constraints discussed above, and to the needs of the Armed Forces to provide close combat fillers and replacements quickly. If there were not enough women volunteers to bring total female strength up to that number, a draft call for women would be issued.

The Issue of Equity. The argument has been advanced that it would be inequitable to impose registration and induction only on males. This is a persuasive argument. Since women have proven that they can serve successfully in the Armed Forces in peace they should be asked also to serve in the Armed Forces during a national emergency or

war to the extent that they can make a contribution. It is possible, however, that women would not be conscripted—even for those positions to which they are assigned under present policy—if volunteering provides as many women as could be used.

The equity argument does not require that men and women be inducted in equal numbers. The numbers for each would have to reflect the jobs available for each to fill.

Equity is achieved when both men and women are asked to serve in porportion to the ability of the Armed Forces to use them effectively.

Conclusion

In order to expand the potential personnel pool available during a national emergency, women as well as men should be subject by law to registration, induction and training for service in the Armed Forces. Women should constitute a part of the personnel inventory from which the Services could draw to meet requirements as needed. The utilization of women would be determined in accordance with the needs and mission of each Service.

Recommendations

The Military Selective Service Act (50 U.S.C. App. 451, *et seq*) should be amended to provide Presidential authority to register, classify and examine women for service in the Armed Forces. At such time as Congress authorizes the conscription of men, authority should also be extended to provide for the conscription of women.

INDUCTION INTO THE INDIVIDUAL READY RESERVE (IRR)

Background

In assessing its need for mobilization manpower, the Department of Defense has determined that the most demanding situation would be an outbreak of intense conflict

between the Warsaw Pact and NATO nations preceded by very little warning time. Under this condition, there would be an abrupt rise in personnel needed to bring units up to wartime strength and to replace casualties.

To meet this "worst-case" wartime requirement, the Department of Defense must rely not only on the active forces and the Selected Reserve but also on personnel trained before mobilization is declared. This pretrained personnel pool must be sized to meet military manpower requirements until a wartime draft can be activated and inductees trained. If a period of rising tensions precedes an outbreak of war, and if during that period a decision to resume induction and increase the size of the active force is made, a smaller pretrained manpower pool would be needed. Planning for this less demanding circumstance is subsumed under planning for the "worst case."

The Individual Ready Reserve (IRR) is the primary but not the sole pool of pretrained individuals. The IRR comprises the portion of the Ready Reserve strength consisting of trained personnel not organized into units. Its purpose is to provide in an emergency, trained individuals to bring active and Selected Reserve units from their peacetime to their wartime strength and to provide replacements for combat casualties in the first few months of mobilization.

Individuals who have completed their tour of duty with the active or Reserve Component forces but still have time remaining on their six-year military service obligation are transferred to the IRR and are subject to call in an emergency. The IRR also contains volunteers, both officers and enlisted personnel, who have extended beyond their statutory obligation. However, its size is primarily a function of the number of people leaving active and selected reserve service and the period of time remaining in their obligation.

The IRR can be ordered to active duty upon a declaration of national emergency by the President or the Congress or upon a declaration of war by the Congress. It has declined in strength from its average 890,000 in the 1960's

and its peak of 1,600,000 in 1971 to a low of 354,000 in early 1978. The decline was due primarily to a contraction in the size of the active force, and therefore in the number of obligated individuals leaving active duty. Secondarily, it reflects longer average enlistments in the volunteer era. In 1978 and the first three quarters of 1979, the IRR grew by 12 percent to a September 30, 1979 level of 396,000. The programs that have caused that increase and promise further strength increases will be addressed later.

The IRR has been regarded by some as the only source for supplementing active and reserve units with pretrained individuals. Clearly this is not so. There are other important sources of pretrained individuals, including the Standby Reserve and retired military personnel.

At current levels, the IRR and other sources of personnel are inadequate to meet the Army's "worst case" needs for pretrained personnel. If such a situation were to develop, a shortage of 200,000 to 300,000 trained personnel for the Army would likely develop in the first few months.

Peacetime induction directly into the IRR has been suggested as a means of overcoming this shortfall. Such a step would require new legislation and increased appropriations for pay and allowances for trainees, training base operations, and the costs of processing people through the draft mechanism.

Discussion

The following alternatives were considered:

- Provide the authority for the President in peacetime to induct persons into the active forces for training and then transfer them to the IRR after completion of training.
- Do not induct persons into the IRR but rebuild the IRR with voluntary programs.

These alternatives represent dramatically different choices. The sections that follow present arguments for and against an IRR draft as well as describing and evaluating the volunteer alternative to the draft.

The IRR Draft

There are two major advantages to an IRR draft:

- It would eliminate the present Army shortfall in pretrained manpower in about two and a half years after implementation.*
- To the extent that some of the IRR draftees would want to join an active or reserve unit after training, an IRR draft would help active force and Selected Reserve recruiting.

The major disadvantages lie in the social and dollar costs of an IRR draft and the relatively marginal value of IRR draftees as compared with other trained soldiers.

- A recent Defense Department study estimated the cost of an IRR draft to be in excess of $500 million annually.[1]
- IRR draftees would, by definition, suffer from lack of unit experience. Their skills would severely erode over their five and one-half year military obligation following training. (Present IRR members typically are in this category for only one or two years after having served in units.) Their short term of active service (probably six months) would be expected to influence adversely their acquisition of skills, their retention of skills over the next five and one-half years and their yield rates if mobilized. Some of these adverse effects could be reduced if the draft process included a requirement for addi-

*Assuming 100,000 draftees per year with 20,000 choosing the active force or Selected Reserve in lieu of remaining in the IRR after training. (The Army training base can only accommodate about 80,000 people annually in addition to those programmed.) After two years, the number drafted would likely be less. The exact number would depend on the extent to which draftees opted to volunteer for the active force or the Selected Reserve after training.

tional training two or three times during the five and one-half year period of obligation. This would, however, increase the cost, hardship, and opposition to such a draft.

The Volunteer Alternative

The main alternative to the IRR draft is to enhance the volunteer program for both the IRR and the Selected Reserve. Enlistment and reenlistment in either of these components of the Ready Reserve will help resolve the Army's mobilization manpower shortfall because fewer IRR personnel would be needed at time of war to bring the Selected Reserve up to wartime strength. Thus, a better manned Selected Reserve reduces the need for IRR personnel.

The following sections of this paper present:

- The FY 1981 programs to increase IRR strength and to manage that pool better.
- The major elements of the FY 1981 programs to improve Selected Reserve strength.
- The measures being taken to make better use of members of the standby reserve and retired personnel.

Increases in IRR Strength

The Department of Defense is currently enhancing its volunteer program to increase the size of the IRR and to manage it better. These initiatives are described below:

- All individuals leaving the Army from active duty and the Selected Reserve prior to the end of their enlistment are being screened to insure that only those with no mobilization potential are discharged. The remainder are transferred to the IRR. By this technique, the Army estimates about 80,000 people can be added to the IRR by 1985.
- Each of the Services has an IRR reenlistment program underway to encourage members reaching the

end of their six-year service obligation to reenlist in the IRR. The need for a reenlistment bonus for the Army is apparent. Consequently, legislation has been prepared and will be submitted to authorize the payment of a reenlistment bonus for the IRR. The FY 1981 budget request includes funds for this program. It is estimated that, the program would increase the Army IRR by about 30,000.

- Women enlistees now receive the same six-year military service obligation as their male counterparts. This legislative change will begin to show results in 1981.
- DOD no longer allows enlistees to count the time spent after enlistment, but before they entered service for initial training, toward fulfillment of the six-year military service obligation. This will increase the Army IRR by 14,000.
- The legal provision that exempted enlistees 26 years of age or over from incurring the six-year military service obligation was eliminated in 1979. Currently, all enlistees incur a six-year obligation. The Army will experience a 10,000 person increase in the IRR by 1985 as a result of this change.
- The active forces' test of two-year active duty enlistments and the Selected Reserve's use of three and four year enlistments will also increase the strength of the IRR.

  The shorter periods of time spent in the active forces or the Selected Reserve means a longer period in the IRR in order to fulfill the six-year obligation. The test for the Army for one year is expected to add about 1,000 members to the IRR, but for FY 1981 only.
- In 1979, the Army tested an IRR direct enlistment program in which non-prior service persons were allowed to enlist directly into the IRR and, after successfully completing training, were given the option of transferring to the active Army, the

Selected Reserve or remaining in the IRR. About 30 percent went into the active Army and 15 percent into the Selected Reserve. Based on these initial results, the IRR direct enlistment option is being expanded to most of the country and provisions for voluntary refresher training are being developed. This program is expected to provide additional accessions into the IRR and to serve also as another source of accessions for the active force and the Selected Reserve.

- As Army members leave the active forces and are transferred to the IRR, they are being matched with mobilization assignments and given orders telling them where to report upon mobilization. This will greatly speed the reporting of IRR members when they are needed.

These programs are designed to make the IRR pool more responsive to a mobilization call and to increase it in size for DOD as a whole from 396,000 at end-FY 1979 to 540,000 by end-FY 1981 and 680,000 by end-FY 1985. The projected increases in Army IRR strength for the programs discussed are shown in the following table.

Projected Army IRR Strength Increases from FY 1979
(000's)

Program	End FY 1981	End FY 1985
Screen Discharges	30	80
IRR Reenlistment Bonus	15	30
MSO for Women	3	25
Elimination of Time in DEP	-	14
Age 26 MSO Policy	-	10
TOTAL	48	159

The expected increase of 159,000 Army IRR members will not be sufficient to eliminate the shortfall mentioned earlier. Consequently, increases in the strength of the Selected Reserve will be needed also to insure that wartime manpower requirements can be met.

Selected Reserve Strength Increases

The programs to increase Selected Reserve strength are in four major areas:

- Varied enlistment options are now being offered in the Selected Reserve. New accessions may enlist for four or five years in the Selected Reserve with the balance of the six year obligation in the IRR. These options are in addition to the standard six-year enlistment.
- More flexibility to individuals in scheduling their initial periods of training. In the past, all new accessions were required to serve a minimum of 12 consecutive weeks during which they received basic military training and their specialty training. Split-training is now offered which permits enlistees to take basic military training and specialty training in two separate sessions; e.g., two consecutive summers.
- Enlistment and reenlistment bonuses as well as educational benefits are now being offered. These incentive programs are designed to attract and retain people in Selected Reserve units scheduled to deploy in time of war. These programs have been in effect since December 1978.
- A full-time Army Reserve recruiting force under the control of the Army's Recruiting Command is now in operation. It features a centralized referral system, an automated system for accession management and recognition of outstanding performance by individual recruiters. This management program reversed the decline in Army Reserve strength.

Besides further growth from these programs in the years ahead, we are now planning substantial efforts to reduce reserve attrition. Lower attrition will lead to increased strength, even without more enlistments.

Together the increases in IRR and Selected Reserve strength are expected to eliminate the Army's shortfall of pretrained manpower by the mid 1980's.

Other Management Actions

In addition to the programs for increasing the strength and better managing the IRR and Selected Reserve, we are improving the responsiveness and utility of the retiree and Standby Reserve pools of trained individuals:

- Members of the Standby Reserve are being screened to determine their mobilization potential and those with valuable skills are being asked to transfer to the IRR. The frequency of contact with the members is being increased in order to validate home address, physical status and other important data.
- All the Services have programs underway to identify positions that can be filled upon mobilization by retired personnel. Efforts are also underway to identify retirees and pre-assign them to specific mobilization positions. Retired personnel represent a valuable and experienced resource and could replace active duty personnel in the training and support establishments upon mobilization.

Conclusion

- The programs underway for increased manning in the IRR and Selected Reserve should eliminate the shortfall by 1985.
- A draft would not solve the IRR program much sooner than the improvements contained in the current program. Current Army training base expansion capabilities would limit the amount of accessions to about 80,000 people annually. Therefore, it would take an IRR draft at least two and one-half years to fill the shortfall.

PART III
OTHER PROCEDURES TO IMPROVE THE ARMED FORCES

INTRODUCTION

The Congress asked the President to identify procedures that could be established to enable the Armed Forces to meet their personnel requirements. The following sections review our progress in meeting personnel objectives and cite improvements that the Administration has underway and under consideration.

BACKGROUND

The main personnel requirement of the Department of Defense is to provide enough qualified people to maintain military preparedness. Military preparedness depends on three groups of people in differing states of readiness: the Active Forces provide trained and equipped personnel organized into units and able to deploy immediately; the Reserve Components, which are organized in units and in pools of obligated and trained personnel, provide the first stage in the expansion of effective forces; the civilian population represents unobligated and typically untrained manpower resources available for the second stage of expansion of forces in the event of a severe threat to the nation's security.

In peacetime, the Active Forces and Reserve Components depend entirely on volunteers. Their level of manning is a consequence of recruiting success, attrition experience and reenlistment rates.

ACTIVE FORCE

Overview

A decade ago the President's Commission on an All-Volunteer Force set as the main objective of the AVF to meet active force military manpower end strength requirements without conscription. By that objective, the AVF has been very successful. As shown on the following

table, since FY 1974 the active forces have remained within 1.5 percent of the Congressionally authorized strength levels. Insofar as strength levels have declined, it is by choice, not because of recruiting problems.

ALL-VOLUNTEER FORCE DATA: ACTIVE FORCES

	Fiscal Year						1st Qtr.	
	1973	1974	1975	1977	1978	1979	1979	1980
End Strength (000)								
Planned	2,288	2,174	2,129	2,088	2,069	2,050	2,038	2,016
Actual	2,252	2,161	2,127	2,074	2,061	2,024	2,040	2,019
% Achieved	98.4	99.5	99.9	99.3	99.6	98.7	100.1	100.1
Accessions								
Total (000)	485	423	458	411	332	338	65	84
% of Objective	96	97	102	98	98	93	90	96
NPS Accessions	455 a/	395	419	388	312	316	60	78
High School Graduates (000)	301	233	277	269	240	229	43	45
% of NPS Accessions	66	61	66	69	77	73	71	58
Reenlistment Rates (%)								
First Term	24	30	37	35	37	37	38	40
Career	83	81	82	75	72	68	71	71
Total	47	52	57	54	55	53	55	56
First Term Attrition (%) b/	32	37	35	35c/	30c/	28c/—		

a/ Includes 206,000 inductees for 1970 and 36,000 for 1973.

b/ Percent of those who enlisted for three or more years in fiscal year shown who left will leave before completing three years of service.

c/ Projections based on data through FY 1979.

Recruitment

The above table also shows that FY 1979 was the most difficult recruiting year under the AVF. The Services achieved only 93 percent of their collective recruiting objective. For the first time under the AVF, all four Services were short of objectives. Still, 338,000 young men and women enlisted in the Armed Forces in 1979. That was 6,000 more than the previous year. (The Services achieved 98 percent of their goal in 1978 because the objective was lower than in 1979.) In FY 1979, over 73 percent of new accessions had high school diplomas—a percentage that is higher than any year in history except for 1978. However, the Department of Defense remains concerned about its ability and educational attainment. The Army especially is

of concern, since it falls below the DOD average with respect to both of these rough measures of recruit quality.

Although the recruiting results for the first quarter of FY 1980 fell short of the overall DOD objective, they show a significant improvement over the same period during FY 1979. During this period the Services recruited 96 percent of their objectives as compared to 90 percent for the first quarter of FY 1979. This is encouraging because the objective for the first quarter of FY 1980 (88,200) was 16,300 higher than for the first quarter of FY 1979 (71,900) because of the need to make up recruiting shortfalls carried forward from FY 1979.

The demographic projections for the coming decade raise concerns. During this period the pool of eligible 18 year old men and women will decline by about 20 percent from the 1979 level of 4.2 million. No one can predict with confidence how much these downward trends will affect recruitment for the All-Volunteer Force.

Attrition

First-term attrition increased dramatically with the advent of volunteerism. The All-Volunteer Force Commission had projected a drop in attrition as conscripts passed from the system. Instead, the Service policies were liberalized. Discharge of poor performers was more common than it had been under the draft. To some extent, this was a healthy change, but the losses are expensive in terms of recruiting and training costs. Actions initiated in 1977 have begun to cut such losses, as shown on the table above.

Reenlistment

First-term reenlistment rates have remained near 37 percent since 1975. The current rate is over 2.5 times the FY 1970 rate. This larger than predicted retention of trained personnel has significantly reduced the requirement for new accessions and is a major success of the AVF, contributing to increased readiness.

On the other hand, reenlistment rates at the second and later reenlistment points have dropped steadily from the high of 83 percent in 1973 to 68 percent in FY 1978, well below the 1970 rate. To some extent, this is attributable to the higher first-term reenlistment rate. Many of those who reenlisted to receive the Selective Reenlistment Bonus and other incentives are faced with perceived pay cuts when considering reenlistment decisions without bonuses beyond ten years of service. While overall retention is encouraging, career reenlistment is of concern, especially in the Navy.

SELECTED RESERVE

The Selected Reserve also provides an important part of the All-Volunteer Force. The following table shows recent Selected Reserve trends.

ALL-VOLUNTEER FORCE DATA: SELECTED RESERVE

	Fiscal Years					
	1973	1974	1975	1977	1978	1979
Average Strength (000)a/						
Planned	917	904	914	835	809	798
Actual	927	912	905	813	796	808
Accessions						
Total (000)	189	226	219	225	201	205
As % of Objective	-	-	-	98	85	94
NPS Accessions (000)	70	46	69	73	70	78
Male High School Graduates	-	19	27	25	22	26
Continuation Rates (%) b/						
First Term	-	-	76	65	66	73
Career	-	-	81	81	81	81
Total	-	-	77	72	74	78

a/ Congress authorizes the average strength of the Selected Reserve, in contrast to the end-year.

b/ % of numbers continuing from one year to the next.

In FY 1978 the Reserve Components experienced a low point in manning. This continued a decline from FY 1974. The decline was reversed in FY 1979. The average strength of the Selected Reserve is expected to continue

to increase from 808,000 in FY 1979 to 850,000 in FY 1981. These increases are expected to result from a stable recruiting force, incentives, and increased retention accomplished through better training. All other indicators in the table showed an increase in FY 1979.

HELPING THE MILITARY MEET ITS PERSONNEL REQUIREMENTS

The AVF is not without problems, but it is working, in many respects better than anticipated ten years ago. The problems are important, however. The key problems in military recruiting seem to result from a decline in the value of the enlistment package, an unfavorable image of the military, and an improved economy. The Armed Forces entered the All-Volunteer Force with a competitive "enlistment package" that was successful. That package consisted of:

- substantial increases in pay;
- career pay competitive with the private sector;
- a strong educational incentive in the "'GI Bill;" and
- highly valued in-service benefits for the serviceperson and his/her family.

Over the past six years, the attractiveness of that package, particularly to high potential high school graduates, has diminished. The basic pay for grade E–2 has declined relative to pay in the private sector. Increases in career military pay, along with increases in Federal civilian pay, have lagged behind increases in pay in the private sector. Further, the significant increases in the cost of living have eroded the real income of all Americans. In addition, the contributory Veterans Education Assistance Program (VEAP) is not as attractive as the former GI Bill, and some in-service benefits have been reduced.

There are improvements that would help the military meet its personnel requirements:

- Make military service more attractive to the potential enlistee and to those in service by improving pay and benefits.

- Reduce the need to recruit young men by recruiting more women and by reducing the attrition of both men and women already in service.
- Improve the capability to add trained people to the force after mobilization by training draftees faster and by increasing the size of the pool of trained people.

The president's Budget proposes actions in all of these areas.

Improving pay and Benefits

The President's FY 1981 budget proposes increases of $133 million over the bonus levels paid in FY 1979, including legislative requests for increases in the maximum bonus payments permitted and an extension of bonuses beyond the current ten years of service limit.

Also, there are a series of proposals pending before Congress, or soon to be submitted, which we believe are needed to make military pay and benefits more attractive. Some of these proposals are discussed below:

- Legislation has been proposed to make the non-disability retirement system more responsive to the needs of members and military management requirements. Under this initiative, existing inequities are corrected, uniformity is established among the Services, new entitlements are provided for members, and savings are realized, in the future, that may be spent on other aspects of compensation or elsewhere in the budget.
- Currently, a family separation allowance accrues only to service members with dependents who are in grade E–4 and above with more than four years service. Legislation is pending to extend this benefit to junior enlisted members.
- To ensure that pay levels are adequate to attract and retain physicians, the Administration has proposed a restructuring of existing special pays and a new retention bonus for critical specialities.

- A legislative proposal to revise the method of computing sea pay was enacted last year. A provision of the bill required a transition period of several years. The Administration has now proposed that the new rates be paid immediately rather than at the originally specified future date.
- A restructuring, both in form and amount, of the reimbursement for moving expenses that now exceed out-of-pocket costs for military members. The President's budget adds $122 million in FY 1981 for this purpose.
- An Administration pay reform proposal that if enacted would result in higher raises in FY 1981 for military members than for general schedule Civil Service employees.
- At present, unmarried senior enlisted personnel can be required to live in barracks. Legislation will be proposed to give these senior personnel the choice between living in barracks or receiving a quarters allowance.
- The budget includes $102 million dollars to increase the reimbursement to military members when they are traveling on official business.
- Current law provides for forgiveness of some portion of a student loan for persons serving on active duty in combat. The House of Representatives has passed and the Administration supports changes to the Higher Education Act that would forgive a portion of student loans for active or reserve enlisted service.

Finally, the House Armed Services Committee has asked the Department of Defense for a report on the feasibility of a more generous educational incentives program to attract potential recruits. However, the Department's report, is more comprehensive. It reviews all current incentives, makes recommendations regarding modifications to existing programs, discusses possible new in-

centives that may be necessary, summarizes data on the AVF through FY 1979 and presents Service comments. This report will soon be submitted to the Congress.

Reducing the Need to Recruit Young Men

The Department of Defense has made plans to utilize more effectively the personnel resources available. Two of the more important aspects of these plans are:

Reducing the first-term attrition. The Services are reducing the number of individuals who are lost to the military during their first three years, prior to completing their initial enlistment. By keeping volunteers longer, fewer volunteers are needed. First-term attrition is now 28 percent, down from 37 percent in 1974. The Services are more thoroughly screening those who enter the force, and are increasing management attention to reducing attrition. Continued attention should keep first-term attrition at, or perhaps somewhat below, current levels.

Increasing use of Women. All Services project continued large increases in female volunteers during the next several years. Women represent the major, underutilized personnel resource for the military. Prior to 1973, women provided less than 2 percent of the total Defense enlisted strength. Under the All-Volunteer Force, the percentage grew rapidly. It is about 8 percent now, and is programmed to reach approximately 12 percent by 1985. By 1985, one out of every six Air Force enlisted members will be female. The role of women has also changed. While women do not serve in infantry, armor, cannon artillery or combat engineer units of battalion size or smaller in the Army, they are serving in combat support units throughout the service. About 95 percent of the skills in the armed forces are open to women. Women are now being assigned to some ships and aircraft crews, within the limits established by 10 U.S.C. 6015 and 8549.

Improving the Capability to Add Trained People to the Force After Mobilization

There are many programs and initiatives within the De-

partment of Defense to make trained people available more quickly and in larger numbers following a decision to mobilize. Many of these are discussed in the section of this report on the feasibility of Presidential induction authority for the Individual Ready Reserve (IRR). Three improvements under consideration in the Department of Defense for which Congressional authorization would be required before implementation are described below:

Reenlistment Bonus for the IRR The 1981 Budget proposes legislation that would authorize the payment of a bonus for service in the Individual Ready Reserve (IRR). This would be offered to individuals who have completed their statutory or contractual military service obligation. This bonus would be directed towards individuals who have military occupational skills, such as infantry, armor, artillery and combat medics, that are critically needed in the IRR. Recipients would incur a three year service obligation for the bonus, now anticipated to be $600. The program is designed to increase the Army IRR by more than 30,000 members by 1985.

Selective Service Screening of Members of the Standby Reserve. Legislation has been submitted to delete the provisions in 10 U.S.C. 672 which provide that members of the Standby Reserve must be screened by the Selective Service System and declared available for military duty before the Department of Defense can recall them in a mobilization. The Standby Reserve is the only category of military personnel that cannot be mobilized directly by the Department of Defense. Members of the Standby Reserve, including physicians, may be needed quickly to meet manpower requirements in the early days of a mobilization and should be processed independently of the Selective Service System. This change would also relieve the Selective Service System of a responsibility that is peripheral to its primary job: to be prepared to classify and deliver non-prior service personnel to the Department of Defense for examination and induction.

Extension of the Military Service Obligation. One way to increase the size of the Individual Ready Reserve (IRR) would be to make the current six-year military service obligation longer. For example, individuals who serve in the active force for a period of four years are currently transferred to the IRR for the remaining two years of their statutory six-year obligation. If the obligation were extended by a year, they would spend a third year in the IRR.

A one-year extension would increase IRR strength by about 85,000 for the Army, where the need is greatest. This increase would not occur, however, until six years after the law was changed.

A longer obligation would be a disincentive to enlistment. It is not without precedent, however. Between 1951 and 1958, the nation had an eight-year military service obligation. A proposal to lengthen the obligation is being evaluated by the Department of Defense.

CONCLUSION

The All-Volunteer Force has served the nation well since its inception. There is every reason to believe it can continue to do so in the future if the Congress provides the enhancements to military pay and benefits proposed by the Administration.

AMERICA'S VOLUNTEERS

A Report on the ALL - VOLUNTEER ARMED FORCES

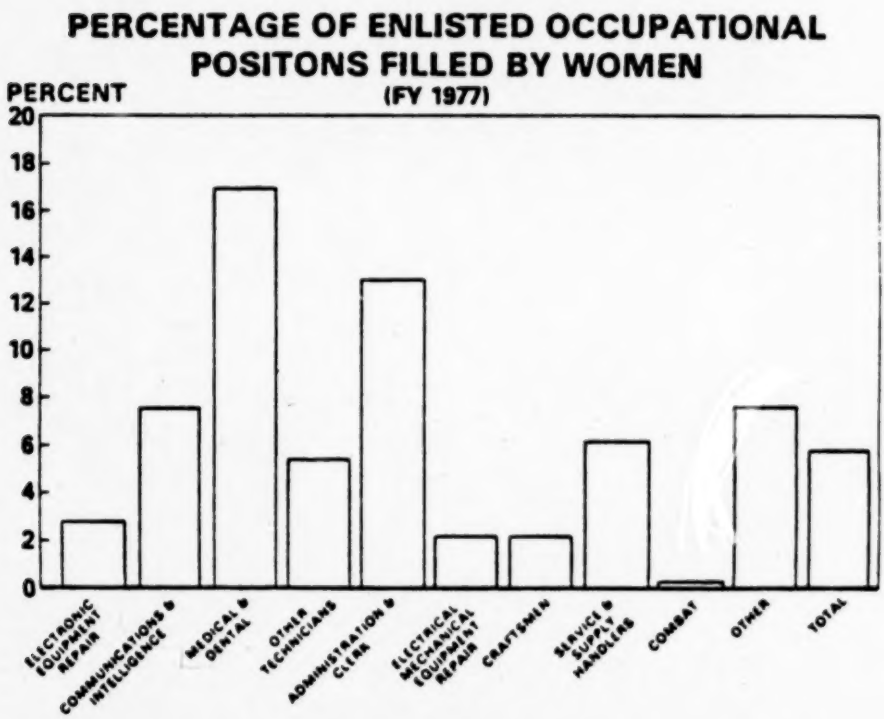
DECEMBER 31, 1979

OFFICE OF THE ASSISTANT
SECRETARY OF DEFENSE
(MANPOWER, RESERVE AFFAIRS
AND LOGISTICS)

Increased Role of Women

Women are now serving in military skills previously closed to them. Figure 3–8 shows the percentage of enlisted positions by occupation which are filled by women. Since the total force was 5.8% female, any percentage above that level indicates higher than average concentration of women and percentages lower than 5.8% indicate underrepresentation. The greatest density of women is in traditional skills, the medical/dental and administration/clerical occupations.

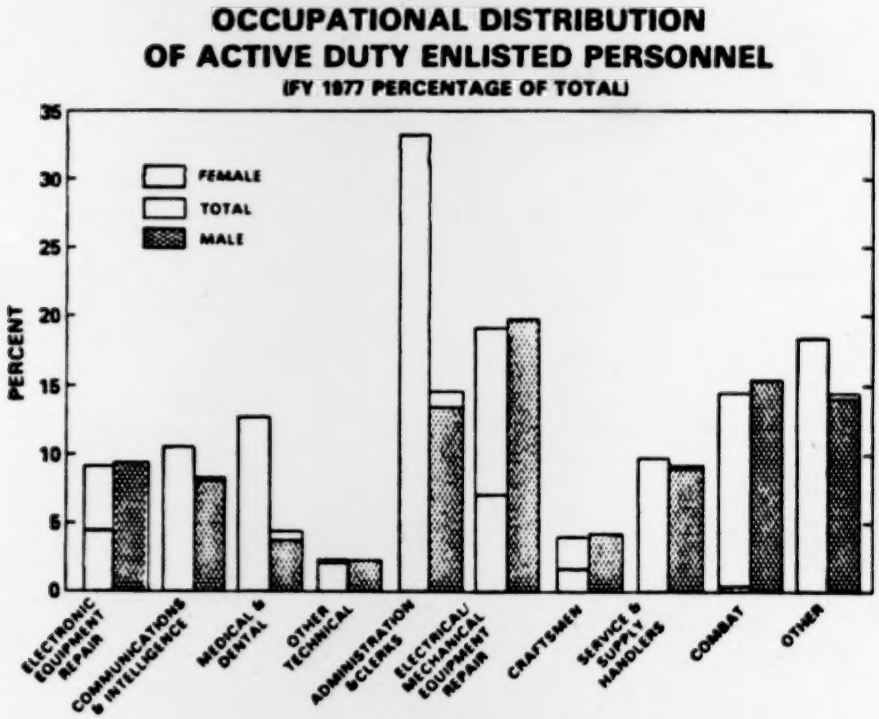
Figure 3-8



While Figure 3–8 considered positions filled by women as a percentage of all the positions in each occupational area, Figure 3–9 shows the distribution of enlisted men and women by occupation. That is, Figure 3–8 shows what percentage of all the enlisted women is in each occupation as compared to the distribution for men. Of all enlisted women on active duty at the end of FY 1977, 33% were in

administrative and clerical positions as compared to 13% for men. Women also had a much higher percentage in medical/dental (13%) when compared to men (4%). Women have much lower percentages than men in electronic equipment repair, crafts and, of course, combat skills.

Figure 3-9

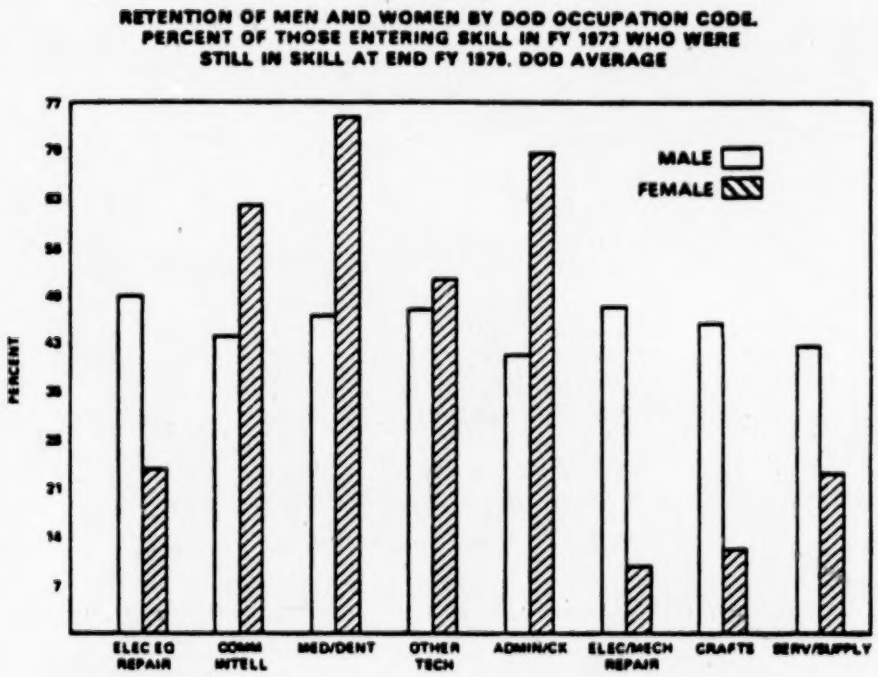


Taking Figures 3-8 and 3-9 together, one sees that 33% of the women serve in administrative and clerical positions, but that they represent only 13% of the total positions in the occupation. While only 4% of men serve in administrative and clerical positions, they fill 87% of those positions. Even in the traditional occupations there is room for growth in the numbers of women.

Current analysis indicates a potential to increase the number of women in the military even further—in part because more women want to enlist than are now accepted. But too rapid a rate of growth can result in an imbalance of women in the junior ranks because it takes

years for recruits to be trained and promoted into positions as qualified supervisors. Moreover, DoD cannot be certain how many women will be attracted to traditionally non-female occupations, nor if they will reenlist in those occupations in sufficient numbers to meet career force requirements. For example, retention by DoD occupation code for men and women is shown in Figure 3-10. Enlisted women had much higher retention in traditional skills than men, but much lower in non-traditional skills.

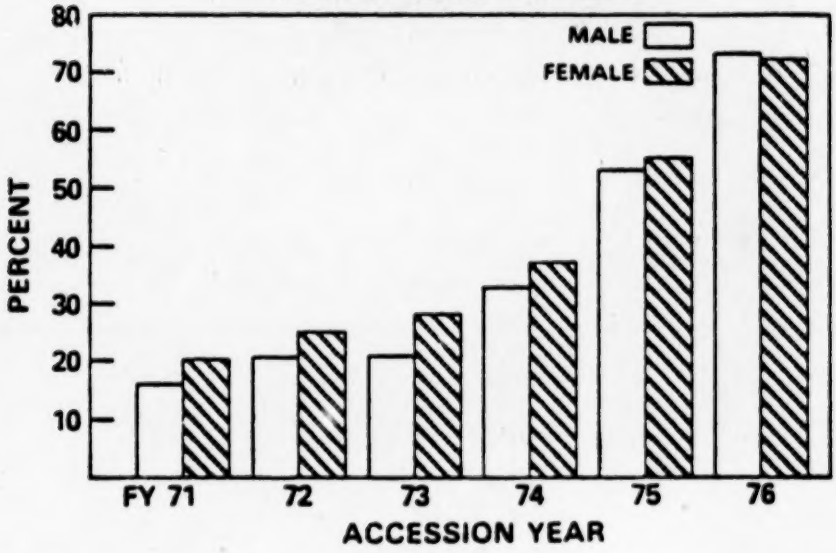
Figure 3-10



While Figure 3-10 showed comparative retention of men and women who enlisted in FY 1973 by occupation, Figure 3-11 compares the average retention of six cohort groups. Women, on average, are retained as well as men. Taking Figures 3-10 and 3-11 together, one concludes that women are retained at higher rates than men in skills more traditionally identified with women and at lower rates in the non-traditional skills such as electrical equipment repair,

Figure 3-11

PERCENT OF FY 1971-1976 MALE AND FEMALE ACCESSIONS ON ACTIVE DUTY AS OF END FY 1977



technical, mechanical repair and crafts, but that these differences average out. One could argue that the Services should concentrate on recruiting men and women into the skills where they have the best retention prospects, but such a policy would have some questionable equal opportunity implications. In recent years, the Services have been striving to increase the numbers of women in nontraditional occupations.

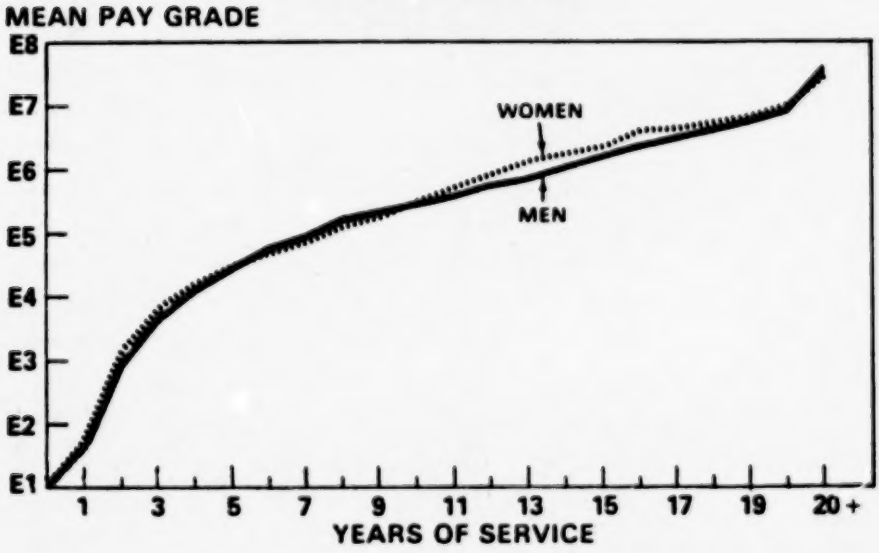
Comparative Promotion Experience

On average, men and women who enlist in the same year have about the same promotion history, as shown in Figure 3-12. Men and women who enlisted in a given year, on average, had achieved about the same grade level at the end of FY 1977. However, the rapidly increasing percentages of women in the force in recent years (see Figure 3-7) mean that in absolute numbers there are many more junior

women than senior women. This fact is often observed in the field and has led to a number of concerned inquiries about the promotion of enlisted women. Table 3-12 confirms that enlisted women are being promoted as well as their male cohorts.

Figure 3-12

DOD AVERAGE PAY GRADE FOR ENLISTED MEN AND WOMEN BY YEAR OF SERVICE
(AS OF END FY 1977)



Women in Combat

As the number of women in the military increases, women are beginning to enter, in greater numbers, job fields that have been traditionally held only by men. Many of these are in the combat environment. While women are not assigned to positions requiring close combat on a regular basis, numerous jobs related to combat can be efficiently and effectively filled by women. Army nurses, although legally classified as noncombatant, have served in the combat environment for more than a century. Women have received combat decorations, such as the Bronze Star and Purple Heart. Presently, there are no combat restric-

tions in law on the assignment of women in the Army. The Secretary of the Army is authorized to determine where Army women may serve. His policies and programs are developed, reviewed, and modified as national attitudes and circumstances change. Recently, the Army has opened all but the most hazardous and arduous positions to women.

The current Army policy states: "Women are authorized to serve in any officer or enlisted specialty, except some selected specialties, in any organizational level and in any unit of the Army except infantry, armor, cannon field artillery, combat engineer, and low altitude air defense artillery units of battalion/squadron or smaller size."[6]

This means that women may be assigned to brigade level headquarters, Hawk and Hercules Missile Air Defense Units, missile and field artillery elements such as Lance units, signal battalions and wheel and track vehicle maintenance battalions. They can fly the new Blackhawk helicopter in nondirect combat roles and now some positions in the elite units such as the 82d and 101st Airborne Divisions are open to women. Policy, however, restricts them from serving in an attack or scout role.

An Army message of September 8, 1977, gave the following guidance to Army field commanders: "Women will be trained to defend themselves individually as well as participate in the unit defense of combat support and combat service support units and should be employed by unit commanders in the same manner as male soldiers . . . Unit commanders are authorized to employ women to accomplish unit missions throughout the battlefield . . . . Women are not excluded from performance of mission duty forward of the brigade rear boundary "Soldiers will not be excused from the performance of unit duties solely on the basis of gender."[7]

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[6]Deputy Chief of Staff for Personnel Memorandum for DAPE-MPE-SS, 7 Dec 77.

[7]HQ DA message, DAPE-MPE-C5, Washington, D.C., R082058z, 8 Sept 77.

From these directives, it is clear that women soldiers are an important and integral part of the Army. They will be expected to pull their share of the workload in the combat environment as do men in the same MOS, but will not be assigned to certain of the most arduous combat units or skills.

These changes in Army policy are not whims, but are based on an extensive study. One such study is called "Women Content in the Army (WITA)". As part of WITA, in 1976, the Army conducted major tests on the impact of female participation in company size units. Units were tested in three-day field exercises with from 0% to 35% women. The results of those tests (called MAXWAC) showed no degradation in unit performance as a result of female content.[8] A second part of WITA was conducted in 1977. During the major NATO exercise, REFORGER-77 conducted in the fall of 1977, the effect of women in units on sustained operations was tested. This test, called REFWAC[9], reconfirmed the MAXWAC results. Women soldiers can and do perform well in combat support units in the field as well as in garrison. There is no significant difference in the performance of these kinds of units. Such trends as did exist showed that, if anything, the integrated units did better, especially when the number of women were above the token level and the men and women were well trained.

In the Navy, the issue of women is somewhat different from the Army. Until this year, Section 6015 of Chapter 10 USC precludes women from serving on Navy ships, stating, " . . . women may not be assigned to duty in aircraft that are engaged in combat missions nor may they be assigned to duty on vessels of the Navy other than hospi-

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[8]*Women Content in Units Force Development Test (MAXWAC)*, U.S. Army Research Institute for the Behavioral and Social Sciences, October 1977.

[9]*Women Content in the Army-Reforger 77*, U.S. Army Research Institute for the Behavioral and Social Sciences, 15 March 1978.

tal ships and transports."[10] Congress has passed language modifying section 6015. Under the new amendment, women will be allowed to serve full-time on hospital and transport ships and other such vessels not expected to be assigned combat missions. Also, they may serve up to six months temporary duty on other Navy vessels.

As Secretary of the Navy testified, the Navy is beginning to assign women to permanent duty on some ships. Women on temporary duty assigned to combat ships do not replace men. In case a vessel, with women on board, is assigned to a combat mission, every effort would be made to disembark the women but not in such a way as to interfere with the accomplishment of the mission. In the Navy, women still may not serve on vessels or aircraft engaged in combat missions.

A similar legal restraint exists for the Air Force. "Female members of the Air Force, except those designated under section 8067 of this title, or appointed with a view to designation under that section, may not be assigned to duty in aircraft engaged in combat mission."[11] This law does not pose any serious problems to the Air Force in reaching their female recruiting objectives. The Department of Defense has called for the repeal of both 10 USC 8549 and 6015. They are neither necessary nor appropriate. Appendix H contains correspondence on this matter.

Expanding the roles of women and the number of women in the force broadens the recruiting base for Armed Forces. As shown by recent experiences of the Army, women are demonstrating that they are capable of playing an even larger part in national defense. Repealing the two laws mentioned above will be a significant step forward in opening the military Services to those American women who want to serve and will reduce the effect of

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[10] USC 6015, 10 August 1956, C.1041, 70A Stat 375 (See Appendix H).

[11] USC 8549, 10 August 1956, C/1041, 70A Stat 528 (See Appendix H).

the declining youth population on military recuiting under an AVF.

Additional Management Flexibility

The initiatives already taken to date should more than match the reduction in recruit supply occurring in the 1980s. Nevertheless, the future remains full of uncertainties and additional flexibility is needed to cover unforeseen situations. DoD has identified a number of other management initatives that could assist in meeting AVF recruiting targets. Some of the most promising are discussed in the following sections.

SUBJECTIVE CRITICISMS IN PERSPECTIVE

LCDR John R. Thompson and CDR Richard W. Hunter

BACKGROUND

The body of this report has dealt primarily with issues that could be quantified. However, in the discussion that has taken place in recent years concerning the AVF, many issues have been raised that are subjective in nature and either are not readily subject to statistical comparisons or require judgments beyond the data itself.

In a study prepared for Senator Sam Nunn in 1977, William R. King expressed concern about the AVF with regard to a number of issues of this nature.[1] In several articles, Charles C. Moskos and others have discussed facets of the AVF that defy quantification.[2]

The ABC Television Network presented a documentary special on April 20, 1978, titled, "ABC NEWS CLOSEUP . . . The American Army: A Shocking State of Readiness" that raised numerous issues of the same type.[3] Representative Robin Beard (R. Tenn.) sponsored a study by Jerry L. Reed that was, in part, critical of the volunteer Army and dealt almost exclusively in highly subjective opinions and perceptions.[4] During testimony before the Manpower Subcommittee of the Senate Armed Services Committee on June 20, 1978, a variety of witnesses critized or defended the AVF.[5] Again, much of the discus-

sion was concerned with aspects of the AVF that are not easily described by statistical measures.

Congressman Les Aspin (D. Wisconsin) addressed the House of Representatives on the subject of the AVF on August 4, 1978.[6] He presented a considerable amount of quantified data on the subject; but, he too contributed to the dialogue on the more subjective concerns.

ISSUES

The subjective issues generally fall into one of five categories: the quality of the individuals entering the force, the morale of the force, the readiness of the force, patriotism in the armed forces, or the impact of the AVF on society at large. Each category is discussed in more detail in the following sections.

Quality of Volunteers

Perceived Problems

The quality of the individuals enlisting under the AVF has been cited often as a shortcoming of the volunteer Army. The critics assert that the volunteer Army is less capable than its draft period predecessor. The data shows changes in both directions, as discussed in Chapter 2. The effect of the increase in mental category III-B personnel and the decrease in category I to III-A accessions must be balanced against greatly reduced number of category IV people taken into the military under the AVF. The critics of the AVF tend to concentrate on the reductions in upper quality personnel, while the defendants of the AVF concentrate on the reductions in lowest quality personnel.[7] The decline in the number of accessions with college experience has also been cited as evidence that the quality of the volunteers is below that of the draft period accessions.[8] Reading skills have been reported to be on the decline even among high school graduates and the AVF is implicitly blamed for this phenomenon.[9] Today's volunteers were described by an Army junior officer in testimony before Congress to be immature and to have diffi-

culty retaining basic knowledge and, in some instances, to be unable to communicate in English.[10] Some critics assert that the increasing role of women, which they attribute to the AVF, has weakened the force. (Many women do have difficulty in performing some of the physical tasks required by some military specialties.)[11] These alleged quality deficits have been said to be magnified by the increasing complexity of modern weaponry.

Discussion of Quality Problems

These quality centered criticisms do not bear up under close scrutiny. The most significant change in the mental quality of recruits under the AVF has been the sharp decline in mental category IV personnel (down 63% from 1964) as discussed in Chapter 2. These individuals have historically accounted for a disproportionate share of disciplinary and training problems. The slight decrease in category I and II personnel (down 8% since 1964) has had much less impact. For the Army, the decline in mental group IV is 54% and for mental groups I and II is 26%. This 26% is of some concern. The Air Force has actually had an increase in mental groups I and II, such that more than half of their accessions are in these categories. While mental group I and II individuals, who represent the top 35% of the nation's youth, are needed in some specialties, most specialties can be filled with average people and many specialties can be filled very effectively with less gifted persons. Representative Les Aspin (D. Wisconsin) has even argued that the Services are taking too few low mental category personnel.[12] The same is true with respect to the decline in college experienced accessions since the Vietnam years. The military certainly can benefit from these more educated people, but few enlisted military positions require college training. In many cases, a college educated recruit would probably consider himself to be overqualified for the tasks assigned. In time of war, the percentage of college youth among accessions has historically increased as the military dipped further into the manpower pool. While Chapter 2 showed that today's en-

listed force contains more college educated personnel than did the pre-Vietnam peacetime force and that the percentage is increasing under the AVF, the number of accessions with college experience is lower than during the peacetime draft.

The reading skill problem has been recognized by the Department of Defense. Despite maintaining the percentage of recruits with a high school diploma, there has been an increasing perception that many recruits are unable to adequately understand training manuals and other written material. The extent of the problem is difficult to quantify. However, the Services are developing an adaptation of the standard entrance examination which will specifically measure reading and writing skills. This problem is not unique to, nor caused by, the AVF. It is the result of changing educational performance in society and probably would be exacerbated by a return to conscription with the associated increase of personnel in the lower mental groups.

With respect to the ability of women to meet the physical demands of military service, even the highly critical Beard Report found that the young male soldiers interviewed tended to be complimentary of the job performance of female soldiers and the *Women Content in the Army* study found that units with women performed as well as all male units.[13] The Services are developing realistic physical standards for the various military occupations to ensure that people who do not meet the standards, male or female, are not assigned to them. This is a much better solution to the female strength issue than gender-wide prohibitions on assignments.

Weapon systems have become steadily more complex, but technology also has provided modular maintenance techniques that tend to simplify the maintenance and repair of the systems. Any disparity between the capabilities of today's recruit and the complexity of his weapons should be solved by improvements in weapon designs that more realistically assess operating and maintenance personnel capabilities and reflect greater concern for the

human factor. As Representative Les Aspin pointed out, a return to the lower quality standards under a draft would only intensify these problems of over-complex systems:

> "There are frequent reports from the field saying that the recruits are too dumb to understand and handle complicated weapons. If the recruits today can not handle the weapons, the recruits in wartime will never be able to . . . a wartime force must always dig deeper into the category IV supply. The solution is not to malign the recruits; it is to take the user into account when the weapons are designed."[14]

While this study has shown that overall quality levels are higher under the AVF than they would be under the draft, the study group does agree that efforts are needed to encourage more college bound youth to serve a tour in the armed forces. But the cost of such incentives must be balanced against other priorities competing for the same resources. For example, the G.I. Bill educational program was a very generous scholarship, but it would have cost $1.5 billion per year—more than

Discussion of Readiness Problems

The concern that training reductions have adversely affected readiness is not really an AVF issue. In any system, draft or all-volunteer, DoD would strive for the most economical way to effectively train its manpower. The funding of training programs has been the subject of close scrutiny by the Services, DoD, the Congressional Budget Office, the Office of Management and Budget, and Congressional Committees. The concensus of opinion has been that a significant reduction could be made in the Services' training programs with a greater share of the training being assumed by the units. As a result, recent Service budgets have reflected reductions in funding for training programs. Unit commanders have assumed greater responsibility for training. There has been some dissatisfaction expressed by the Services with this change. Such criticism may be valid; however, because the new methods in training are in the process of implementation and test-

ing, it would be premature to evaluate the impact of the changes on unit readiness. DoD recognizes, however, that these changes must be carefully monitored and evaluated. If negative effects are noted, a return to some or all of the previous training policies may be accomplished with no change in the status of the AVF.

The number of junior enlisted personnel who are married has increased in recent years, in large part because with the 1972 pay readjustment they could afford it. This has resulted in an increase in family related problems. However, the married individual is reported to be more responsible and less prone to creating disciplinary problems than the young unmarried enlistee. Commanders generally state a preference for married personnel in spite of the family oriented problems.[30]

The need to provide child care for single parents and families with both parents in the military is similar to the everyday problems in society at large. The readiness requirements for deployment on short notice for indefinite and prolonged periods are unique to the military. While the individuals involved know their mobilization and crisis deployment responsibilities and are directed to make provisions for the care of their dependents, the growing number of members in these categories is a concern. The problem is not primarily an AVF or a woman problem. For example, there are many more single male parents than female and the problem predates the AVF, but it is a growing problem that needs attention.

The increasing number of women in the military has other implications. There is concern about the effect of women on the group dynamics essential for an effective military organization. However, as stated by Binkin and Bach:

> "It is important to point out that an understanding of the behavior and performance of men in groups, particularly under combat or sea duty conditions, is far from complete; an understanding of the behavior of women under these conditions is very small; and precious little is known about the effects of combining men and women."[31]

Sociologists talk about a "male-bonding" theory that men have a tendency to join together in male only organizations, especially those that deal with aggression such as politics, war and police work. For example, sociologist Lionel Tiger argues, "not only will males and females reject other females as potential leaders and defenders, but that males will reject females as colleagues."[32] Admiral Worth Bagley expressed that concern in testifying before Congress in 1975.

> "Since the inception of the Continental Navy, later the U.S. Navy, traditional male domination of warfare and seafaring has continued. Only recently has there been pressure for change. The naval profession —specifically the business of going to sea—has been advertised as, and accepted as, a closed club for men.
>
> The present male-dominated, sea-going facet of Navy life is one that is understood and accepted by the country and the men in the Navy. Men join the Navy for many different reasons; however, a certain portion join and remain in the Navy because they enjoy being in a job which has been historically associated with fellowship among men in a difficult and dangerous endeavor. Changing the fabric of the Navy Navy by integrating women into all combat roles might well reduce the attractions of the Navy to this segment of mankind as well as to some of those men who might, in the future, join the Navy and make it a career."[33]

While this male-bonding theory seems to explain past behavior, it is not supported by recent experience. In 1972–1973, 53 enlisted women (about 12% of the crew) served abord the *USS SANTUARY* in all of the major departments. The report of the experiment concluded, "Women can perform every shipboard function with equal ease, expertise, and dedication as men do . . . and may serve on board the *USS SANTUARY* . . . in perpetuity."[34]

The MAXWAC study found no difference in the performence of company level Army support units during 72-hour field exercises with female contents ranging from 0% to 35%. During the major month-long NATO REFORGER

Exercise in 1977, the Army studied both individual and unit performance during sustained field operations and found, "the presence of women soldiers . . . did not impair the performance of support units . . . (The tests) provide strong evidence that EW (enlisted women) can adequately perform their MOS-related duties in a REFORGER type field exercise."[35] These tests are about as close to actual combat as it is possible to simulate in peacetime. Of course, they are not combat, and the final test of any military organization can only be made on the battlefield. However, these tests, combined with the limited historical experience of women in combat, gives assurance that our forces with women are at least as effective as they would be if there were no women. Considering the higher enlistment standards required of women, the forces may be more capable than they would be with men only.

The Army tests have served to clear the air and make it possible to address, openly and directly, the concerns of field commanders that units with large numbers of EW may have reduced combat readiness . . ."[36] Women have been serving effectively alongside men in the military for forty years, including three wars, and over thirty years under the draft.

The nationwide experience of police and fire departments reinforces the military's conclusions and tends to refute the "male-bonding" theory.

Perceptions are important and there is evidence that wives of military members oppose the increasing role of women. Again, military experience indicates that the concern conjured up in anticipation generates more adverse reaction than is present after implementation. However, the concerns of the families of military members must be taken seriously and are an important part of many career decisions.

Patriotism

Perceived Problems

Probably the most sweeping allegation with respect to the AVF is the suggestion that today's volunteer is less

dedicated than was his draftee counterpart simply because he is better paid. This accusation comes in phrases such as "redefinition of military service in terms of the economic marketplace"[37], or ". . . most recruits view military service as just a job; the concept of duty, honor, and country as a motivation for service has little meaning"[38], or a fear of a developing ". . . classifical employee-employer relationship."[39] In the same vein, Senator Nunn is concerned that ". . . life in the military is becoming a job, not a service."[40]

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BACKGROUND STUDY

USE OF WOMEN IN THE MILITARY

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
(MANPOWER, RESERVE AFFAIRS, AND LOGISTICS)

MAY 1977

SECOND EDITION - SEPTEMBER 1978

Background Study

USE OF WOMEN IN THE MILITARY

Office of the Assistant Secretary of Defense
(Manpower, Reserve Affairs and Logistics)
Washington, D.C.
May 1977

PREFACE TO SECOND EDITION

The original background study on the use of women in the military was conducted in response to a request from Secretary of Defense Harold Brown during his first week in office. It provided background data with which to evaluate the Services' growth plans and to form the new administration's policies on use of women in the military. Since the study was published in May 1977, a number of major policy decisions have been made to expand both the number and role of women in the U.S. Armed Forces.

There has been considerable public interest in this topic and three printings of the study have been exhausted. In September 1978, a decision was made to produce a fourth printing, but to update the study to reflect the changes that have occurred in the sixteen months since the original publication.

This preface will briefly review the major changes. Additional information and update data are provided in Appendix F.

Based on this background study, the Manpower Issue Paper of July 29, 1977 raised issue with the limited growth in the number of enlisted women the Services programmed for FY 1979 through FY 1983. After careful review and discussion with Service leaders, the Secretary of Defense directed an increase in the number of enlisted women on active duty to double the FY 1976 number by FY 1983. This decision dramatically changes the strength and accession projections shown in Table 13 on page 19 of the original study. In their program objective memoranda (POMs) submitted in May 1978, the Services further increased

their projections to reach 207,800 enlisted women and 28,000 women officers by 1984.

These latest policy changes to further increase women in the military are based in part on a series of studies conducted by the Army called "The Women Content in the Army" or simply WITA. Two WITA tests were particularly important, because they examined individual and unit performance with women in the field under simulated combat conditions.

The MAXWAC tested women in the field on three-day exercises with women content ranging from 0% to 35%. The tests showed that there were no statistically significant differences in performance among units over this range of female content.

The second test, REFWAC, carefully studied women in the field during sustained combat related experiences. It evaluated unit performance and individual performance of women soldiers during the annual NATO "REFORGER" exercise in September 1977. This 30-day field exercise is about as close to sustained combat operations for large units as is possible to conduct in peacetime. The results reconfirmed the MAXWAC findings. Women in support units and combat support units and in combat unit headquarters above battalion level did not adversely impact upon unit performance. When properly trained and led, women are proving to be good soldiers in the field, as well as in garrison.[1]

Since the first edition of this background study was printed in May 1977, a number of other changes have affected women in the military. They are grouped into two categories: (1) changes in policy and (2) changes in law.

The major policy changes occurred in the Army, where there are no legal restrictions on the assignment of women. The Army had modified its policies to greatly extend the role of women in combat. As late as March 1977,

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[1] *Women Content in the Army—REFORGER 77 (REFWAC-77)* Washington, D.C., U.S. Army Research Institute for Behavioral and Social Sciences (ARI), 1978.

as shown on page B-8 of Appendix B of this study, the Army policy precluding women forward of the brigade rear boundary was affirmed. This policy was addressed on page 33 of the background study. In September 1977, the Army modified this assignment policy. Unit commanders now are authorized to employ assigned women anywhere on the battlefield to accomplish unit missions. Women are trained in self defense and unit defense. However, Army women are not assigned to units in infantry, armor, artillery, or combat engineering of battalion/squadron size or smaller. All other units are open to Army women, and unit commanders have been directed not to excuse soldiers from the performance of unit duties solely on the basis of gender.

On March 3, 1978, General Rogers, Chief of Staff of the Army, sent a personal message to his field commanders reemphasizing that women soliders are an integral and essential part of the Army and will deploy with their units in combat situations. Copies of these two important Army policy statements are included in Appendix F.

Since the background study was published the Army has terminated its separate basic training for women programs and moved to a single common basic training program for men and women soliders. However, many of the more senior NCO and officer women in the Army have not had the field training and experience of their male counterparts. The Army recognizes this problem and is addressing it, but time is essential to overcome the years of institutional differentiation in the roles of men and women in the Army.

Under the WITA study series, the Army has conducted an in-depth review of military occupational specialities (MOS) evaluating skills which are open and skills which are closed to women. As a result of this effort, a number of skills have been opened to women and the Army has a much better understanding of the problem areas in skills where women have been experiencing difficulties. The major problem is ensuring that women soldiers have the proper training and leadership. Strength and endurance

differences have caused problems in a few skills. A list of current skills open and closed to women is provided in Appendix F.

The Air Force is well into its pilot training program for women, discussed on page 41 of the background study. Officer and enlisted women are now being trained in all flight crew positions and will be used in the crews of support aircraft within the restraints of current law. The Air Force also has opened missile crew positions to women modifying the previous interpretation of combat restrictions discussed on page 42 of the background study.

The extent of the change in Air Force attitude toward the use of women is demonstrated by two examples. During the program review in the summer of 1977, mentioned on page "a" of this preface, the Air Force withdrew their POM projections for women which showed modest growth similar to the March 77 plan in Table 13 on page 19 of the background study and submitted a revised program to double the number of women by 1983.

In their POM submitted in the spring of 1978, the Air Force programmed a growth to over 90,000 women by 1984. That means that one out of every six people in the Air Force will be a woman and makes the Air Force the leader among the Services in the use of women.

The second category of changes affecting women in the military relates to the restrictive laws: 10 USC 6015 and 10 USC 8549 which preclude assignment of women to Navy ships or combat aircraft of the Navy and Air Force. On May 17, 1977, Senator William Proxmire introduced an amendment on the Senate floor to modify 10 USC 6015 and 8549 to expand the roles of women and place upon the Secretary of Defense the responsibility of setting assignment policies for women. The Department of Defense supported the amendment, but recommended minor modifications.

After floor debate, Senator Proxmire modified his amendment to require the Secretary of Defense to report on the definition of combat, to submit proposals to increase the number of positions open to women, and to make recommendations for law changes. On February 14,

1978, the Deputy Secretary of Defense responded to that request recommending that both 10 USC 6015 and 8549 be repealed, and strongly urging some modificiation to 6015 as soon as possible. A copy of the letter is in Appendix F.

The Congress included language to modify 6015 in the FY 1979 authorization bill. The President vetoed that bill, for other reasons; but modification of 6015 is expected to be included in the next authorization bill. The Navy is moving ahead on plans to assign women on some ships.

While this action was being considered in Congress, the courts also were reviewing the issue of restrictions on women in the Navy. A lower court ruled that 6015 was unconstitutional and that the Secretary of the Navy should determine assignment policy based on sound reasons rather than arbitrary legal constraints.

The Department of Defense plans to submit legislation to repeal 10 USC 6015 and 8549, putting the Navy and Air Force under procedures similar to the Army, where the Service Secretary sets assignment policy for both men and women.

Appendix F has been added to the background paper to provide updated data on a number of the areas covered by the original study. The additional data does not materially change the findings of the background study except that the Army, Navy and Air Force now plan much larger increases in the number of enlisted women in the coming years than were included in the background study. The Marine Corps already was planning to double its enlisted female content, so was unaffected by the decision.

Additional information on comparative lost time between men and women also is provided on Appendix F. The lost time studies are far from definitive, but comparative lost time differences do not appear to be significant enough to affect decisions on the use of women in the military.

The original background paper provides the basis for decision-making in the FY 1977 and FY 1978 time frame;

and, with the updates provided, it now is current through the program decisions of August 1978.

/s/ _____

R. W. HUNTER
Director
Manpower Program Analysis

PREFACE

On January 27, 1977, Secretary Brown requested a priority analysis of the utilization of military manpower to determine where we can reduce requirements and realize personnel management economies. As part of that analysis, he requested a study on the use of women in the military.

The study was led by Commander Richard W. Hunter, USN, Office of the Deputy Assistant Secretary of Defense (Planning and Requirements). The analysis focused on enlisted women. It drew on three primary sources: (1) information available in the Office of the Secretary of Defense and the Defense Manpower Data Center files; (2) specific data submitted by the Services in response to tasking for this study; and (3) the results of related studies by other government offices and private organizations. Martin Binkin and Shirley Bach of the Brookings Institution were preparing a book entitled *Women and the Military* during the period of research on this paper. Their cooperation was indispensible, as was the participation of the Service action officers and the reviewing authorities in the Services, the Joint Staff and the Office of the Secretary of Defense.

This paper is a background analysis. It examines the performance of enlisted women in the military from a number of perspectives including promotion, retention, cost, and potential problems. The potential to use more women is addressed in terms of the market, the quality of accessions and the limits on the number of officer and en-

listed women who can be used based on the current laws and policies. Finally, the Services' projected strength and accession plans are considered.

The appendices to this paper include the original correspondence which requested data from the Services, and information provided by the Services to the Office of the Secretary of Defense during the study.

EXECUTIVE SUMMARY

Purpose: On January 27, 1977, Secretary of Defense Brown requested a priority analysis of military manpower utilization, including the utilization of women in the military. This study was undertaken to gather and analyze data on the use of enlisted women serving on active duty in the military. While there seems to be little problem in obtaining enough well qualified officers in the military, there may be problems in obtaining enough high quality enlisted men. For this reason, this study focuses primarily on enlisted women. Its purpose is to evaluate the current use of enlisted women serving on active duty in the military and to estimate how many enlisted women could be used by 1982. A subsequent effort will address women in the reserve components.

Approach: The information collected routinely by the Office of the Secretary of Defense and the data files of the Defense Manpower Data Center were used to evaluate the growth in the number of enlisted women, and their relative performance from various management perspectives. The Services submitted data requested in specific formats from which estimates were made of the potential to use more enlisted women. Previous studies by both private and public organizations were reviewed. Both the savings and potential problems of additional women were addressed.

Findings:

— The number of enlisted women on active duty more than tripled from 1971 through 1976.

— Active duty women are being promoted the same as, or at higher rates than men in all occupations open to women.

— Women on active duty are retained at about the same overall rates as men, although they have higher loss rates than men in non-traditional occupations.

— The Services have made significant progress in expanding the use of women in non-traditional skills.

— The Navy, Air Force and Marine Corps are planning significant increases in the number of enlisted women on active duty in the 1978 to 1982 period. The Army's current plan, however, calls for no growth in enlisted women after 1979.

— 10 USC 6015, which precludes women from serving in Navy ships, limits the number of women the Navy can use. The Navy's growth plan approaches that limit by 1983. Many positions on ships could be filled by women if this law were changed or repealed

— There are more high quality women willing to enlist than are now accepted.

— Significant savings and quality improvement are possible through the expanded use of enlisted women. Cost avoidance could exceed $1 billion annually by 1982.

— There are still many unanswered questions, including: What are the costs in terms of flexibility, response to uncertainty, readiness, and deployability of having more women in the military who are precluded from combat service? What is the impact of women with small children on these factors? What is the comparative lost time of men and women, and what impact does it have? Will more or fewer women be willing to enlist, if they are required to serve in combat support units, aboard ships, or in non-traditional skills? We need answers to these questions.

— Continued expansion of the number of enlisted women used in the military can be an important factor in making the all-volunteer force continue to work.

USE OF WOMEN IN THE MILITARY

INTRODUCTION

To put this study in context, one must remember that the overriding issue is maintaining the combat effectiveness of the armed forces. Within that context, the use of women in the military is a question of increasing importance, for two reasons. First is the movement within the society to provide equal economic opportunity for American women. Second, and more important, use of more women can be a significant factor in making the all-volunteer force continue to work in the face of a declining youth population.

There has been little problem to date in getting enough well qualified officers, and the future looks good for meeting officer needs. There may, however, be problems in obtaining enough high quality enlisted men. Because of this need, this paper will focus on the 1.8 million enlisted positions. How many of these positions can and should be filled by women?

Recruiting more high school graduate women for active duty in the all-volunteer force can have two effects: (1) improve quality or (2) save money. We measure quality by test scores and level of education (whether or not the enlistee has completed high school). In the current recruiting market, high quality women can be recruited at about the same cost as low quality men. Substituting women for men could improve the quality of the force, at no extra cost. (See page 24)

Women and low quality men are cheaper to recruit than high quality men because they are attracted at no additional cost by the recruiting and advertising effort which is necessary to recruit sufficient numbers of high quality men.

Recruiting additional high quality women in lieu of high quality men would result in reductions in recruiting costs. The marginal recruiting cost is expected to rise sharply, as the supply of qualified 18–20 year old males shrinks in the 1980s. A decrease in youth unemployment would make the market even tighter. The success of the all-volunteer force may well depend on reducing the number of young male high school graduates the Department needs to recruit each year. This is potentially the major benefit of using more women, but it is not without costs. (1) Women tend to be physically weaker than men which limits some of the work they can do. (2) Presently women are excluded from combat units and positions calling for combat skills. This reduces assignment flexibility. (See page 25)

Most of the other arguments favoring both more and less women in the military have centered on emotionalism and have been supported by unsubstantiated generalities, or isolated examples. It is the intention of this paper to report where the Defense Department stands on the use of women in the military and what factual information is available as to where we can expect to be in the next five years.

Because there are so many unknowns in this area, many people have cautioned against moving too rapidly in expanding the number of women in service. For example, the Army response to requests for information for this study stated, "We should err on the side of national security until such time as we have confidence that the basic mission of the Army can be accomplished with significantly more female content in the active force." Clearly we should err on the side of national security, but what does that mean?[1]

The tradeoff in today's recruiting market is between a high quality female and a low quality male. The average

[1]The Army staff explained that to err on the side of national security means that men have proven themselves in ground combat for centuries—we know the Army will fight effectively with men. We do not know this for women.

woman available to be recruited is smaller, weighs less, and is physically weaker than the vast majority of male recruits. She is also much brighter, better educated (a high school graduate), scores much higher on the aptitude tests and is much less likely to become a disciplinary problem. (See pages 22–25.)

To put the question bluntly: Is recruiting a male high school dropout in preference to a smaller, weaker, but higher quality female erring on the side of national security, in view of the kinds of jobs which must be done in today's military? The answer to that question is central to the decision on how many women should be used in the various Services. Sometimes the answer will be yes, and sometimes it will be no, but the question continues to be relevant. It will be addressed in some detail during this report.

The Department of Defense is striving to make the all-volunteer force continue to work. It is in this context that the expanded use of women serving on active duty in the military must be evaluated. A subsequent study will address the 45,000 women serving in the reserve components.

BACKGROUND

Prior to World War II, the military forces of the United States were almost exclusively male, notwithstanding the legendary women warriors such as Molly Pitcher, Deborah Sampson, and Lucy Brewer. Of course, there were many women who served as nurses, cooks, launderesses, seamstresses, and in other female pursuits of the day.

With the industrial revolution of the 19th Century, American women were developing skills which were becoming increasingly relevant to both the battlefield and the support of military operations. During World War I, over the protests of General Pershing, the Army held fast to its prohibition against enlisted women; but the Navy and Marine Corps admitted some 13,000 women into clerical skills in the shore establishment. After the war, these services returned to their all male compositions.

The massive mobilization of World War II created conditions for significant numbers of women to enter the military services. About 350,000 women served in one of the four military services and many others served in quasi-military support units, such as the WASP whose 800 women pilots ferried war planes around the world. During World War II, American women showed their competence in essentially every occupation except direct combat. They drove trucks, changed tires, repaired airplanes, rigged parachutes. Some were gunnery instructors. Others were air traffic controllers and naval air navigators.

Eventually, 2,000 Army women served in the Mediterranean theater of operations and 8,000 in Europe. Some 5,000 women served in Australia, New Guinea and the Philippines. Women served in the North African and Italian campaigns. The first WAC unit landed in Normandy on D+38. The WACs followed close behind the fighting forces. Food, quarters, and supplies were the same as those available to the men. Some operated within 12 miles of the front line. Statistics from the European theater of operations, where women lived in conditions similar to noncombatant men, show that somen had the same casualty rate (0.5%) as noncombatant men and a lower hospitalization rate (2.2% vs. 2.5%). Women developed psychological disorders less frequently than men. Their venereal disease rate was one-sixth that of men. The WAC pregnancy rate was negligible. Their disciplinary rates were much lower than those of men.[1]

During demobilization following World War II, the number of women in the military declined from 266,000 or 2.2% of 12.1 million man force in 1945, to just over 14,000 or 1% of the 1.4 million man force in 1948. Positions again became restricted to the more traditional roles for women, but the passage of the Women's Armed Forces Integration Act of 1948 did give American women the opportunity for the first time to follow a military career.

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[1] Women in the Army Study, Ch. 2.

With the advent of the Korean War, an unsuccessful effort was made to recruit some 100,000 women to meet the rapidly expanding manpower requirements. Young women just were not interested in serving, perhaps because of the unpopularity of that war at the time. Between 1948 and 1969, even including nurses, the percentage of women in the military never exceeded 1.5% and averaged 1.2% of total active strength.

In mid-1960s, two major factors began to combine to change the role of women in the military again. One was the pressure from the expanding role of women in the society in general, where they were entering the labor force in ever increasing proportions and filling many positions which were previously for men only. The second factor was the increasing need for military manpower to meet the demands of the Vietnam conflict.

In 1967, Congress removed the 2% limit on the number of women who could be in the military, removed the prohibition to women officers holding permanent commissions above grade 0–5 and eliminated the existing differences in the retirement laws which had applied to women. Although Congress has removed the limit on the percentage of the force which could be women, the growth in the number of women was slow until 1971, as discussed in the next section. During the next five years, through 30 September 1976, the number of women, including both officers and enlisted, increased rapidly to over 5% of the total active military strength.

GENERAL ANALYSIS:

The central issue of this paper is meeting DoD's enlisted manpower requirements—this is where the all-volunteer force will succeed or fail, and this is where most of our recruiting money and effort are aimed. This analysis therefore concentrates on the use of enlisted women. Women officers will be addressed only briefly, in each of the service sections that follow this general analysis (pages 31–46).

This analysis will consider the growth in the number of enlisted women from a series of perspectives using data from the following sources: (1) Information available in the office of the Secretary of Defense and the Defense Manpower Data Center files; (2) Specific data submitted by the Services in response to tasking for this study; and (3) the results of previous studies by other government offices and private organizations.

Female Strength

Table 1 shows the number of enlisted women in thousands and the percent of the total force they represent by fiscal year. The low point for the ten year period was in 1967, the same year Congress removed the limits on the number of women. The growth in the number of women was slow, it took four years for the percentage of enlisted women to increase a half of a percentage point, from 0.76% in 1967 to 1.28% in 1971. In the next five years, from 1971 to 1976, the percentage of enlisted women in the military increased more than three fold, to 5.33% in 1976. This is more than twice the World War II percentage. While the Department of Defense was reducing its enlisted strength from 2.3 million to 1.8 million, it increased the number of women from 30 thousand to 95 thousand. Almost half of that increase was in the Army alone.

TABLE 1

FEMALE ENLISTED PERSONNEL (000s) AND PERCENT OF TOTAL ENLISTED PERSONNEL BY SERVICE AT END FISCAL YEAR

	ARMY		NAVY		MARINE CORPS		AIR FORCE		DOD TOTAL	
Fiscal Year	No.	%	No.	%	No.	%	No.	%	No.	%
1966	9.2	0.65	5.4	0.62	1.7	0.70	5.0	0.67	21.3	0.78
1967	9.7	0.75	5.5	0.63	2.1	0.81	5.2	0.68	22.6	0.76
1968	10.7	0.76	5.7	0.64	2.6	0.90	6.1	0.80	25.1	0.80
1969	10.7	0.80	5.8	0.64	2.4	0.86	7.4	1.02	26.3	0.87
1970	11.5	1.00	5.8	0.95	2.1	0.90	9.0	1.37	28.4	1.07
1971	11.8	1.22	5.9	1.09	2.0	1.04	10.1	1.62	29.9	1.28
1972	12.3	1.80	6.3	1.22	2.0	1.16	11.7	1.95	32.4	1.64
1973	16.5	2.41	9.2	1.87	2.0	1.12	13.0	2.63	42.6	2.22
1974	26.3	3.90	13.4	2.81	2.4	1.41	19.5	3.68	61.6	3.33
1975	37.7	5.36	17.5	3.79	2.8	1.60	25.2	5.01	83.3	4.56
1976	43.8	6.46	19.3	4.21	3.1	1.77	29.2	6.08	95.4	5.33

Accession Changes

As Table 1 shows, the Army, Navy, and Air Force have made large increases in the number of women in the military in the last five years. This increase is the result of expanded female, non-prior service, accessions. Table 2 shows the numbers of women recruited during these years and what percentage of the total non-prior service accessions they represent.

TABLE 2

FEMALE ENLISTED NON-PRIOR SERVICE ACCESSIONS (000s) AND PERCENT OF TOTAL NON-PRIOR SERVICE BY SERVICE

Fiscal Year	ARMY		NAVY		MARINE CORPS		AIR FORCE		DoD TOTAL	
	No.	%	No.	%	No.	%	No.	%	No.	%
1972	6.0	3	2.2	2	0.7	1	4.6	5	13.6	3
1973	8.3	4	4.9	5	0.7	1	6.2	7	20.3	5
1974	15.1	8	6.8	8	0.9	2	8.0	11	30.9	8
1975	18.4	10	6.4	7	1.3	2	10.0	13	35.9	9
1976	15.8	9	5.0	6	1.4	2	8.8	12	30.9	8

All Services have increased both the number of women accessions and the percent of total accessions which are women by two to three fold over the five years. Table 2 also shows that Navy female accessions peaked in 1974, and that Army accessions peaked in 1975. The Air Force plan calls for even larger accessions in 1977 and 1978 than shown on Table 2, followed by a reduction to stabilize at a strength growth rate of 2,000 women per year.[1]

Women by Grade

As a result of the recent rapid build-up and to a lesser extent to previous retention experience, a relatively larger percentage of women are in pay grades E-1 through E-4 and a relatively larger percentage of men are in each pay grade E-5 through E-9, as shown on Table 3.

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[1] Both Tables 1 and 2 show that the Marine Corps did not follow the trend of the other Services. The current Marine Corps plan is to more than double their female content over the next five years. Future plans are discussed in more detail in the Service Sections which follow this general analysis.

TABLE 3

Enlisted Personnel by Sex and Service as of 30 June 1976
(Percent of the Male/Female Force Segments in Each Paygrade)

Grade	Army		Navy		Marine Corps		Air Force		DoD	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
E-1	9.32	9.85	5.79	7.15	13.63	12.04	3.96	8.47	7.41	8.95
E-2	14.35	17.33	15.32	17.84	18.92	20.42	8.34	18.36	13.46	17.85
E-3	15.40	22.18	16.93	32.26	20.79	23.52	18.97	38.58	17.29	29.28
E-4	23.81	34.47	19.65	30.45	16.95	20.39	24.44	28.81	22.22	31.47
E-5	16.47	12.77	17.85	10.16	13.76	15.17	20.86	4.75	17.72	9.86
E-6	11.02	2.41	14.83	1.60	6.25	5.87	12.85	0.63	12.21	1.81
E-7	7.10	0.77	7.10	0.43	5.07	1.73	7.42	0.27	6.98	0.58
E-8	1.96	0.20	1.78	0.07*	1.92	0.65*	2.11	0.10	1.95	0.16
E-9	0.58	0.02*	0.75	0.04*	0.71	0.20*	1.05	0.04*	0.76	0.04

*Cell contains 25 or fewer personnel.

Source: Active Military Master Files for 30 June 1976

Promotion

Some people may look at Table 3 and conclude that the lower percentage of women in the senior grades is the result of prejudicial promotion policies. Such is clearly not the case, as shown on Table 4. Women with the same number of years of service have as high mean pay grades as their male cohorts, if not higher.

TABLE 4

Mean Enlisted Paygrade by Service, Sex, and Year Group as of 30 June 1976

Years	Army		Navy		Marine Corps		Air Force	
	Male	Female	Male	Female	Male	Female	Male	Female
1	1.80	2.03	2.04	1.99	1.67	1.81	1.80	1.75
2	3.15	3.43	2.91	3.10	2.85	3.26	2.98	3.02
3	3.81	3.99	3.42	3.55	3.53	4.12	3.36	3.42
4	4.24	4.50	4.07	4.06	4.06	4.85	3.97	3.99
5	4.59	4.84	4.52	4.63	4.57	4.99	4.11	4.08
6	4.88	5.02	4.83	4.82	5.01	5.39	4.31	4.25
7	5.13	5.21	5.05	4.99	5.40	5.72	4.55	4.46
8	5.27	5.40	5.26	5.13	5.57	6.00	4.76	4.74
9	5.42	5.58	5.39	5.27	5.74	6.07	4.94	4.96
10	5.56	5.73	5.56	5.60	5.92	6.23*	5.06	5.05
11	5.78	5.96	5.71	5.71	6.20	6.38*	5.20	5.14
12	6.00	6.21	5.78	5.96*	6.35	6.75*	5.29	5.30
13	6.18	6.38	5.97	6.00	6.50	6.67*	5.46	5.31
14	6.30	6.43	6.14	6.13*	6.68	7.00*	5.59	5.55
15	6.46	6.73	6.24	6.29*	6.78	7.20*	5.81	5.94
16	6.62	6.78	6.31	6.18	6.89	7.00*	5.93	5.77*
17	6.72	6.94	6.48	6.20*	6.99	7.40*	6.04	5.79*
18	6.82	7.09	6.62	6.52*	7.17	7.25*	6.17	6.03
19	6.91	7.00	6.73	6.33*	7.27	8.00*	6.31	6.59
20	6.96	7.11	6.93	6.50*	7.29	8.12*	6.40	6.22*
20+	7.70	7.60	7.42	7.26	8.17	8.50*	7.28	7.40

*Cell Contains 25 or fewer personnel.

Source: Active Military Master Files for 30 June 1976

NOTE: A higher percentage of women enter at an advanced pay grade for education or experience

Table 5 factors the mean pay grade information for first term personnel into major occupational categories (using one digit DOD occupational codes).

First tour enlisted women have somewhat higher mean pay grades than men in the areas of administration and medical/dental which have long been open to women.

TABLE 5

Mean Enlisted Paygrade by Occupation, Sex, Selected Year Group and Service as of 30 June 1976

	Elec Eq Repair		Comm/ Intel		Med/Den		Tech		Admin		Maint		Crafts		Svcs/ Sup	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Army																
Year 1	2.34	2.43	2.18	2.38	2.48	2.69	2.82	3.46	2.28	2.52	2.22	2.43	2.29	2.45	2.19	2.35
2	3.22	3.24	3.17	3.40	3.30	3.68	3.70	4.06	3.23	3.53	3.15	3.25	3.39	3.41	3.27	3.27
3	3.94	4.05	3.84	3.94	4.04	4.20	4.12	4.22	3.82	4.00	3.78	3.86	3.89	3.91*	3.82	3.92
4	4.55	4.43*	4.34	4.41	4.55	4.73	4.52	4.37	4.32	4.44	4.23	4.21*	4.28	4.00*	4.29	4.37
Navy																
Year 1	3.29	3.58	2.46	2.86	2.25	2.26	2.27	2.50	2.26	2.27	2.51	2.30	2.34	2.00*	2.07	2.15
2	3.56	3.56	3.00	3.29	3.02	3.11	3.11	3.49	3.02	3.27	3.06	3.39	3.00	3.43*	2.74	3.04
3	3.96	3.97	3.62	3.78	3.37	3.40	3.60	3.75	3.70	3.88	3.60	3.86	3.44	3.52*	3.36	3.53
4	4.34	4.27	4.24	4.20	4.10	3.90	4.13	4.06	4.21	4.20	4.22	4.00	4.06	4.20*	3.86	4.00
Marine Corps																
Year 1	2.32	3.50*	2.10	2.10*	--	--	2.48	3.30*	2.09	2.20	2.14	2.57*	1.97	2.29*	2.03	2.10
2	3.22	3.13	2.95	3.11	--	--	3.14	4.34	3.10	3.33	2.96	3.09	2.87	3.15	2.77	3.10
3	3.99	3.94*	3.67	4.00	--	--	3.83	4.59*	3.81	4.16	3.60	3.92*	3.56	4.25*	3.39	3.56*
4	4.51	4.90*	4.23	5.10*	--	--	4.21	5.00*	4.39	4.81	4.15	5.00*	4.14	5.00*	3.89	5.00*
Air Force																
Year 1	2.22	2.12	2.12	2.11	2.03	1.97	2.05	2.16	2.00	2.00	2.08	2.01	1.99	2.02	2.14	2.00
2	3.02	3.03	3.00	3.00	2.98	3.01	3.00	3.22	2.98	3.02	2.98	3.02	2.96	3.01	2.97	2.99
3	3.49	3.45	3.37	3.40	3.30	3.31	3.33	3.49	3.34	3.43	3.32	3.43	3.24	3.39	3.33	3.44
4	3.99	3.99	3.98	3.99	3.97	3.99	3.99	4.11	3.97	3.99	3.97	3.97	3.95	3.95	3.96	3.99

*Cell contains 25 or fewer personnel.

Source: Active Military Master Files for 30 June 1976

NOTE: A higher percentage of women enter at an advanced paygrade because of education or experience.

Women are, also, holding their own in the nontraditional areas of crafts, electronic equipment repair, technical and maintenance. Since enlisted men and women in each skill area compete in a common promotion system, these higher grades for women apparently indicate better relative performance. This may, in part, reflect the higher entrance standards for women. Grade differences are less in the Air Force, where the quality differences between average men and average women also are less.

Retention

Are women retained in service at the same rate as men; or do they attrite at higher rates because of marriage, pregnancy, non-adaptability and other causes which could be postulated? Between 1960 and 1970 enlisted women had shorter terms of service, in part because women who became pregnant were discharged. However, experience since 1970 is just the reverse. A study of accessions for years 1971 through 1976, reveals that women are being retained at a higher rate than men.

Table 6 shows the number of male and female accessions in each of the six years and what percentage of them were still on active duty at the end of June 1976. For example, Table 6 shows that 14.1% of the 293,345 males who en-

tered the Army in FY 71 were still on active duty on June 30, 1976, while 22.7% of the 5,600 females who entered in FY 71 remained on active duty on June 30, 1976. For DoD as a whole, women had higher retention than men in all six years.

TABLE 6

Number of FY71 to FY76 Accessions Remaining on Active Duty as of 30 June 1976 by Sex and Service

	Male		Female	
	Accessions	Percent on AD 6/76	Accessions	Percent on AD 6/76
FY71 *				
Army	293,345	14.1	5,600	22.7
Navy	73,748	21.4	2,377	19.1
Marines	51,882	15.0	714	24.9
Air Force	89,582	25.0	4,383	24.6
DOD	508,557	17.6	13,074	22.8
FY72 *				
Army	176,376	22.0	5,958	27.2
Navy	84,926	22.1	2,170	25.0
Marines	53,893	22.2	717	25.2
Air Force	80,550	28.5	4,744	30.8
DOD	395,745	23.4	13,589	28.0
FY73 *				
Army	194,706	26.3	8,336	34.6
Navy	88,665	43.0	4,949	45.7
Marines	48,255	41.1	691	23.3
Air Force	85,612	55.4	6,339	54.5
DOD	417,238	37.5	20,315	43.1
FY74				
Army	164,885	53.4	15,083	59.1
Navy	83,071	60.5	6,693	64.6
Marines	43,529	55.8	850	39.2
Air Force	64,203	69.7	8,174	66.1
DOD	355,688	58.3	30,800	61.6
FY75				
Army	161,759	72.1	18,540	73.9
Navy	89,433	75.7	6,459	79.3
Marines	54,081	73.3	1,325	65.4
Air Force	63,486	80.7	9,752	79.0
DOD	368,759	74.6	36,076	75.9
FY76				
Army	163,009	85.3	15,791	86.0
Navy	79,298	89.3	5,009	90.0
Marines	50,213	86.1	1,261	82.3
Air Force	62,630	91.6	8,614	90.1
DOD	355,150	87.4	30,675	87.7

Source: MARDAC Report Number 3058, "Separation Rates from Service for Accession Cohorts by Length of Service, Sex and Race"

* NOTE: Some of Army's male accessions were draftees and all Services had male draft-induced volunteers.

Table 7 contains a breakdown of the annual loss rates for each of the six year groups discussed in Table 6. Note the very high first year loss rates for women who entered service in 1971 and 1972. These high losses may reflect the very strict policies then in effect for women, particularly discharge for pregnancy. During those same years, the Services, especially the Army, had a limited discharge policy for men. They did not want to encourage men to dropout to evade combat service. Since 1972, both policies have been liberalized to permit women to have children on active duty and men to be released who do not want to stay in the military.

The Army states that when quality is held constant, first term men are retained at about a 10% higher rate than women. But quality in the recruiting market is not constant. Tables 6 and 7 show that the first term attrition of women is lower than it is for men.

Comparing male and female attrition in the third year of service for the Army, third and fourth year for the Marine Corps and fourth year for the Navy and Air Force, on Table 7, demonstrates that women generally have reenlisted at higher rates than men. Only limited information is available at this time on the career behavior of women, since only very small numbers of women have progressed through entire careers. From the limited data available, it appears that women may leave active duty after reenlisting at higher rates than men. Such behavior, if it continues to occur, would reduce the relative number of women in senior enlisted positions, but also would reduce future retirement costs. Retention of career women is another area where we need more experience and better data before definitive judgments can be made.

TABLE 7

PERCENT ATTRITION** BY LENGTH OF SERVICE AND SEX: FY 71-FY 76 ACCESSION COHORTS

Length of Service	FY71		FY72		FY73		FY74		FY75		FY76	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Army												
0-11 Months	9.9	26.4	12.7	23.2	11.9	12.4	20.2	19.2	20.8	18.8	14.7*	14.0*
12-23 Months	40.0	24.1	16.6	21.5	14.6	19.2	13.6	13.0	7.1*	7.3*		
24-35 Months	21.4	10.5	22.5	10.7	25.4	11.3	12.8*	8.7*				
36-47 Months	13.1	13.5	24.5	15.2	21.8*	18.5*						
48-Present	1.5	2.8	1.7*	2.2*								
Cumulative	85.9	77.3	78.0	72.8	73.7	65.4	46.6	40.9	27.9	26.1	14.7	14.0
Navy												
0-11 Months	14.4	22.4	16.0	20.4	14.7	18.9	18.0	16.4	17.1	14.3	10.7*	10.8*
12-23 Months	12.6	16.3	11.0	13.1	12.0	13.0	12.8	12.3	7.2**	6.4*		
24-35 Months	9.0	15.9	9.6	16.2	14.7	11.2	8.7*	6.7*				
36-47 Months	19.2	22.7	22.1	22.3	15.6*	11.2*						
48-Present	23.4	3.6	19.2*	3.0*								
Cumulative	78.6	80.9	77.9	75.0	57.0	54.3	39.5	35.4	24.3	20.7	10.7	10.0
Marines												
0-11 Months	21.2	27.0	9.5	27.1	12.0	34.6	13.8	24.6	18.0	24.1	13.9*	17.7*
12-23 Months	12.2	19.8	15.2	18.3	12.6	16.1	13.4	22.2	8.7*	10.5*		
24-35 Months	20.9	12.9	26.5	14.8	22.6	18.8	17.0*	14.0*				
36-47 Months	12.1	10.9	13.0	10.3	11.7*	7.2*						
48-Present	14.6	4.5	13.5*	4.3*								
Cumulative	81.0	75.1	77.7	74.8	58.9	76.7	44.2	60.8	26.7	34.6	13.9	17.7
Air Force												
0-11 Months	9.1	24.9	11.8	22.0	13.2	17.1	13.0	16.9	11.9	14.0	8.4*	9.9*
12-23 Months	9.3	16.8	9.6	14.7	14.4	14.2	12.2	12.1	7.4*	7.4*		
24-35 Months	7.4	9.7	9.2	9.2	7.4	8.4	5.1*	4.9*				
36-47 Months	26.4	12.4	17.0	10.5	9.6*	5.8*						
48-Present	22.8	11.6	23.9*	12.8*								
Cumulative	75.0	75.4	71.5	69.2	44.6	45.5	30.3	33.8	19.3	21.0	8.4	9.9
DOD												
0-11 Months	11.6	25.2	12.8	22.5	12.8	17.9	17.6	18.1	18.0	16.9	12.6*	12.3*
12-23 Months	27.7	20.0	13.8	17.7	13.8	14.0	13.1	12.9	7.4*	7.2*		
24-36 Months	17.1	11.3	17.6	13.3	19.1	10.6	11.0*	7.4*				
36-47 Months	16.2	14.7	20.9	14.4	16.8*	12.4*						
48-Present	9.8	6.0	11.6*	6.1*								
Cumulative	82.4	77.2	76.6	72.0	62.5	56.9	41.7	38.4	25.4	24.1	12.6	12.3

SOURCE: HARDAC Report Number 3058, "Separation Rates from Service for Accession Cohorts by Length of Service, Sex and Race"

* Includes end of service losses. Prior to 1973 there were draftees, draft induced volunteers and men on some two year enlistments.

** Latest experience, but incomplete.

Based on this data, who could conclude that as career potential increases for women and the quality of accessions remain high, the retention of women in the military is comparable to that of men, in spite of some sociological pressures, such as marriage and family, which tend to limit women's continuous participation in the labor market.

Losses from Skills

In previous sections, it was shown that women were promoted at rates similar to men in a wide variety of skills and that overall retention of women compared favorably with men. The loss rates of women from occupation groups is very different, as shown in Table 8.

These losses from occupation groups represent people who have switched to a different skill, as well as those who have left the Service.

TABLE 8

ATTRITION

PERCENT ATTRITION** AS OF 30 JUNE 1976 BY SEX AND DoD OCCUPATIONAL GROUP: FY 73 TO FY 75 ENLISTED NON-PRIOR SERVICE ACCESSIONS

	Elec Eq Repair		Comm/ Intel		Med/Den		Tech		Admin		Maint		Crafts		Svcs/ Sup	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
FY73 Accessions																
Army	79.5	93.4	68.6	40.3	68.6	28.9	69.4	69.3	69.3	40.8	78.1	95.3	80.2	96.9	70.4	84.7
Navy	43.3	65.0	48.4	28.4	34.4	16.0	52.4	27.7	58.1	27.0	39.6	87.1	37.0	90.4	75.4	78.4
Marines	70.9	78.4	60.4	80.0	--	--	56.2	56.3*	63.2	49.5	57.1	98.8	64.2	88.2*	48.6	84.4
Air Force	25.2	63.8	41.0	21.8	42.3	25.5	30.0	41.6	41.3	20.5	32.7	82.0	39.6	74.5	37.5	63.5
DoD	50.9	76.3	56.9	30.7	54.0	24.6	53.0	48.5	59.6	30.1	52.6	90.2	55.1	88.1	50.4	76.8
FY74 Accessions																
Army	48.3	77.3	33.0	18.9	45.1	9.8	31.6	30.0	37.9	17.5	41.4	87.6	41.6	89.0	40.9	43.3
Navy	23.7	39.1	28.6	18.3	24.1	9.6	39.7	17.6	45.4	16.2	22.5	70.4	22.4	83.0	58.2	60.7
Marines	52.9	76.8	38.4	36.5	--	--	40.2	33.3*	44.3	27.7	36.3	88.6	44.8	84.6	28.9	71.7
Air Force	15.9	23.7	27.1	24.1	24.7	21.0	14.3	22.4	28.8	19.1	22.4	35.4	25.8	50.2	24.5	36.2
DoD	31.1	43.0	31.6	20.2	35.9	12.0	28.7	25.2	38.1	18.1	31.1	60.0	32.6	73.6	36.3	43.8
FY75 Accessions																
Army	25.6	38.1	16.3	8.8	21.5	6.2	14.9	14.2	18.7	9.2	19.3	38.4	18.4	35.2	18.1	15.7
Navy	7.7	22.2	11.7	6.5	13.3	4.3	36.7	13.3	26.5	11.4	11.1	49.0	10.3	75.9	31.2	34.1
Marines	43.9	24.5	16.9	32.8	--	--	23.1	9.1	16.2	14.7	19.8	54.2	21.2	25.9	11.7	17.8
Air Force	7.4	13.9	14.9	16.5	15.3	6.4	6.1	9.6	10.1	5.9	10.8	20.6	9.1	18.4	8.5	13.1
DoD	14.9	23.4	15.0	9.7	19.4	6.0	14.2	12.5	12.0	8.8	16.0	31.1	13.8	27.5	15.2	16.1

* Includes end of service losses.
** Cell contains 25 or fewer accessions.

Losses from the most non-traditional skills are much higher for women than men. In electronic equipment repair, 76% of the 1973 female accessions had left the occupation group by the end of fiscal year 1976 as compared to 51% for male. In the same year group, 90% of the women had left maintenance as compared with 53% of the men. In crafts, 88% of the women were gone and 55% of the men. Even in services and supply handling, 77% of the women had left that skill as compared with 58% of the men.[1] Those women in the most traditional skills had much lower loss rates than men. In administration, only 30% of the women had left at the end of three years as compared to 60% for the men. In communications/intelligence, 31% of the women were gone as compared to 57% of the men. In medical/dental, there was a 25% loss rate for women and 54% for men.

There are two possible explanations of these data: (1) many women who do not adjust well in non-traditional skills may be leaving the Service; (2) women who try non-traditional occupations may be migrating to the more traditional ones. In either case, these higher losses from non-traditional skills may represent inefficient use of training resources.

Distribution by Occupation Group

Table 9 shows the distribution of women in each service as a percentage of the total in each occupation group. For DoD as a whole, 33 percent of the women are in the administrative/clerical group. Twenty percent of the women are in the "other" category which includes those in training and reflects the distortion resulting from the rapid growth in the number of women. Only 11 percent of the women are in one of the four more non-traditional areas (electronic equipment repair, technical, maintenance or craftsman).

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[1]These high loss rates in non-traditional skills should be viewed in the context of small sample sizes and the newness of women being assigned in such skills.

TABLE 9

PERCENTAGE OF ENLISTED WOMEN BY OCCUPATIONAL GROUP
END FY 76

OCCUPATIONAL GROUP	ARMY	NAVY	USMC	USAF**	DOD
0 Infantry, Gun Crew, Seamanship	0	0	0	0	0
1 Elec. Equipment Repair	1	4	3	6	3
2 Communications and Intelligence	14	14	5	9	12
3 Medical and Dental	16	21	*	11	15
4 Other Technical	2	2	3	2	2
5 Administrative and Clerical	32	25	54	37	33
6 Electrical/Mechanical Repair (Maintenance)	4	2	2	10	5
7 Craftsman	1	0	2	2	1
8 Service and Supply	10	2	11	8	8
9 Other	21	29	21	15	21
TOTAL	100	100	100	100	100

* Covered by Naval Personnel.
** Air Force has readjusted the conversion of AFSC to DoD occupational codes, reducing the number of people in administration and increasing the number in other occupations, subsequent to the effective date of this table.
SOURCE: MARDAC Run 3036

Concentration of Women

It is also relevant to consider the concentration of women in these occupational groups. Table 10 shows what percentage of the people in each occupational group are women. About 18% of enlisted people in the medical/dental field are women, as are 11% of the administrative/clerical field.

TABLE 10

PERCENT OF TOTAL ENLISTED POSITIONS FILLED BY WOMEN
BY OCCUPATIONAL GROUP AT END FY 76

OCCUPATIONAL GROUP	ARMY	NAVY	USMC	USAF **	DOD
0 Infantry, Gun Crew, Seamanship	0	0	0	0	0
1 Elec. Equipment Repair	2	1	1	3	2
2 Communications and Intelligence	10	7	1	7	8
3 Medical and Dental	22	14	*	16	18
4 Other Technical	6	8	3	4	5
5 Administrative and Clerical	13	11	7	11	11
6 Electrical/Mecahnical Repair	2	0	0	3	1
7 Craftsmen	2	0	2	2	1
8 Service and Supply	6	2	1	4	4
9 Other	8	6	2	12	8
TOTAL	6	4	2	6	5

* Covered by Naval Personnel.
** Air Force has readjusted the conversion of AFSC to DoD occupational codes, reducing the number of people in administration and increasing the number in other occupations, subsequent to the effective date of this table.
SOURCE: MARDAC Rum 3036.

The data in Table 10 do not lead to the conclusion that there are too many women, even in the traditional women occupations.

The limits on the use of women are associated with policies, which, for example:

(1) Prohibit women from specific types of units, e.g., combat units and ships.

(2) Limit or restrict the assignment of women in units in certain locations.

(3) Disallow the assignment of women to certain stations because of the lack of living facilities which provide appropriate separation of men and women.

(4) Reserve positions to protect a rotation base to provide alternative assignments for men who have filled positions at sea or overseas.

These service-specific limitations will be discussed in the sections on each Service, pages 31 through 46.

Potential to Use Women

The Services were asked to submit data from their 1977 manpower programs to permit the evaluation of the potential to use women. Table 11 summarizes part of that submission. A complete definition of the entries in Table 11 is included in the original request for data, included in Appendix A.

TABLE 11

SERVICE DATA SUBMISSION ON POTENTIAL USE OF WOMEN

Enlisted Positions and Strengths (000s)

(Lines A through I are Structure Spaces*)

	Positions Authorized for 30 September 1977	Army	Navy	Air Force	Marine Corps	DoD Total
A	Total Positions (less Individuals)	566.6	381.8	415.3	137.8	1,501.5
B/C	Combat and Combat Support	281.0	229.9	27.4	100.1	638.4
D	Net A-(B/C)	285.6	151.9	387.9	37.7	863.1
E	Rotation Base	23.3	84.2	0	28.4	135.9
F	Physiological Limits	0	0	0	0	0
G	Other Limits	217.0	38.0	72.1	2.4	339.5
H	Open to Women H-D-(E+F+G)	45.2	29.7	315.8	6.9	397.6
I	Women in Structure Spaces	35.3	15.8**	29.7	2.4	85.7
	Lines J and K are total women (including Individuals)					
	Strength					
J	Women on 30 Sept. 1976	44.4	19.3	31.0	3.1	97.8
K	Women Planned FY 1982	50.4	28.5	48.2	6.7	131.8

* Transients, patients and prisoners, students and trainees are excluded from structure spaces and carried as "Individuals". They are excluded from lines A through I, but included in total people in lines J and K.

** Navy data was adjusted for Individuals based on service-wide rate of 5% for TPP and 13% for students and trainees.

Line "A" represents the total number of structure enlisted positions. Structure positions are the manpower positions in units. They exclude transients, prisoners, patients under treatment, students, and trainees. Line "A" represents the base of positions for both men and women.

Line "B/C" contains the positions designated by the Services as combat or combat support from which women are excluded under present policies. Line "D" (line "A" minus line "B/C") is the net positions which theoretically could be available to women. Notice the differences between the Services in the relative numbers of spaces available after the exclusion of the combat positions. In the Air Force, 93% of the positions are available. The Army has 50% available and the Navy 40%. The Marine Corps has only 27%. The combat unit structure, with the associated restrictions, creates the largest difference in the relative number of women which the various Services could accommodate effectively.

Positions must be provided in the United States for men who must serve aboard ship or in "men-only" overseas units. These positions are called the rotation base. Some of these rotation base positions will be in combat units in the United States, which also exclude women; but there are not enough of these positions. Additional non-combat positions must be reserved for rotation. These are positions which could be filled with women if it were not for this rotation base problem. Line "E" shows the total number of these non-combat positions which are reserved for men for rotation base reasons which otherwise could be filled by either men or women.

The difference among the Services is very marked. The Air Force has identified no need for such non-combat rotational positions at this time. In the Army, they represent 8% of the positions which remain after the exclusion for combat and combat support. In the Navy and Marine Corps, the rotation base is a major factor. For the Navy, it represents 55% of the positions remaining after the combat exclusion; and for the Marine Corps, it is 75% of the positions remaining after the combat exclusion.

In line "F" the Services were asked to identify those positions closed to women for physiological reasons, such as stature or strength. While lack of strength is raised by the Service leaders as the most common problem in expanding the use of enlisted women, no positions were identified in the Service submissions as being closed to women for physiological reasons. This area needs attention.

The Services each have other restrictions which are applied to further limit the number of positions open to women. The extent of these limitations is shown in line "G". It is largest for the Army, at 217,000 positions or 76% of the positions which remained after the combat exclusion. Limitations on the concentration of women in various units and personnel management constraints are the major limiting factors in the Army. These exclusions are discussed in more detail in the Army Section of Service Analysis, pages 31 through 37.

The Air Force precludes women from about 45% of its overseas authorizations or 72,000 positions because of inadequate facilities at those locations to accommodate unmarried women. Lack of separation of men and women is the major problem. For example, the Air Force considers living quarters where men and women share the same hall as unacc ptable. Facility limitations are the largest single limitation to the number of women serving in the Air Force.

The Navy limits 38,000 additional spaces for reasons similar to both the Army and Air Force. They have some limits on overseas facilities, and they have skills with disproportionately small number of junior positions ashore. The Marine Corps limits an additional 2,400 positions for similar reasons.

Line "H" shows the number of positions which are open to women, based on the Service submissions. It should not be interpreted as the number of positions that should be filled by women—the numbers in line "H" appear to be more than the number of women the Air Force should have, and fewer than the Army should have. These problems will be discussed later.

Line "I" shows the number of women serving in such structure spaces. A comparison of lines "H" and "I" indicates some measure of what the Services consider the potential for growth in the use of women.

From this analysis the Air Force would appear to have a tremendous potential to use women, up to 315,800 in structure positions, plus TPP, students and trainees. The Air Force has progressed well in opening positions to women, increasing from 5,000 in 1966 to 29,000 in 1976. In addition, the Air Force is developing sexless criteria to insure that people, male or female, can perform the functions of specific positions. Work is progressing in developing standards for strength which will exclude many women and some men from those positions where such strength is essential. Such positions are not closed to women, but cannot be filled by many women.

An additional limit to the rate of increase of women in the Air Force is Service reluctance to create personnel management distortions by making very large changes in the number of women accessions over short periods of time.

The Marine Corps has room for growth. As noted previously, the Marine Corps did not have the rapid increase in women experienced by the other Services in the first half of this decade.

Line "J" shows the total number of enlisted women in each Service at beginning of fiscal year 1977, and line "K" shows the planned strength at the end of fiscal year 1982. These numbers include students, trainees, transients, patients and prisoners. The Marine Corps is planning a major growth during this period more than doubling the number of enlisted women marines. The other Services are planning more moderate growth. The Air Force plan calls for 55% growth, the Navy for 48% growth, and the Army for a 14% growth through 1982.[1] These rates are consistent with the limitations used by the Services as

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[1] As shown in Table 1, Army has the highest percentage of enlisted women of any Service; and the Air Force has had the highest growth rate since 1966.

shown in Table 12. Significantly larger growth rates would require restructuring the current limiting policies of the Services. Such possible changes are discussed in the individual Service sections beginning on page 31.

Table 12 shows the actual number of enlisted women for end of fiscal year 1976 and the end of the transition quarter and the annual projected end strengths through 1982 from the March Service submissions.

TABLE 12

ENLISTED WOMEN BY SERVICE IN THOUSANDS

	Actual		Projected					
	FY 76	FY TQ	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
Army	43.8	44.4	46.3	48.4	50.4	50.4	50.4	50.4
Navy	19.3	19.3	20.1	20.5	22.5	24.7	26.4	28.5
Air Force	29.2	31.0	34.6	40.2	42.3	44.3	46.3	48.2
Marine Corps	3.1	3.1	3.5	3.7	4.6	5.3	5.8	6.7
TOTAL	95.4	97.8	104.5	112.7	119.7	124.6	128.8	133.8

Table 12 contains the strength based on latest accession plans submitted in response to a request for data for this study. Navy, Air Force, and Marine Corps plans have undergone major changes during the last year. The Navy and Marine Corps have increased while the projection of the number of female accessions in the Air Force through 1982 has been revised downwards, as explained in the next section.

Accession Plan

In May 1976 the Services submitted program objective memoranda (POMs) for fiscal years 1978–1982. Among the data submitted were accession programs. Following development of the President's budget for fiscal year 1978, the five year defense plan (FYDP) was updated. It contains the accession plan to support the strengths in the President's budget.

Both the POMs and the FYDPs contain accession data to support their enlisted women strengths. Table 13 compares by Service the data in the May 1976 POM and January 1977 FYDP with the strength and associated accessions for the Service proposals submitted in March 1977 for this study.

TABLE 13

ENLISTED WOMEN STRENGTH (STR) AND ACCESSION (ACC) PLANS
BY FISCAL YEAR IN THOUSANDS

	FY 77		FY 78		FY 79		FY 80		FY 81		FY 82	
	Str	Acc	Str	Acc	Str	Acc	Str	Acc	Str	Acc	Str	Acc
ARMY												
MAY 76 POM	47.3	17.5	47.4	14.1	50.4	17.4	50.4	16.0	50.4	15.3	50.4	16.0
JAN 77 FYDP	46.3	14.6	48.3	14.5	50.4	14.4	50.4	13.5	50.4	13.5	50.4	13.6
March 77 Plan	46.3	15.8	48.4	15.6	50.4	15.5	50.4	14.6	50.4	14.6	50.4	14.7
NAVY												
MAY 76 POM	19.8	4.4	20.3	4.2	20.5	4.2	20.6	4.2	21.2	4.2	21.2	4.2
JAN 77 FYDP	19.8	4.4	20.1	4.2	20.1	4.2	20.1	4.2	20.1	4.2	20.1	4.2
March 77 Plan	19.8	4.4	20.5	4.8	22.5	5.6	24.7	6.0	26.4	6.0	28.5	6.5
AIR FORCE												
MAY 76 POM	34.3	10.0	42.4	13.0	51.4	13.6	60.1	13.9	67.5	12.8	74.8	12.8
JAN 77 FYDP	34.6	10.0	40.2	13.1	47.6	13.8	54.7	13.8	60.1	12.0	65.8	12.0
March 77 Plan	34.6	10.0	40.2	13.1	42.3	8.1	44.3	7.7	46.3	8.1	48.2	8.1
MARINE CORPS												
MAY 76 POM	3.4	1.3	3.5	1.3	3.6	1.3	3.7	1.3	3.7	1.3	3.7	1.3
JAN 77 FYDP	3.5	1.5	3.7	2.3	4.6	2.3	5.3	2.3	5.8	3.0	6.7	3.0
March 77 Plan	3.5	1.5	3.7	2.3	4.6	2.3	5.3	2.3	5.8	3.0	6.7	3.0

The Army has consistently moved toward a goal of 50,400 enlisted women, although their estimate of accessions required to achieve that goal has changed with the different submissions.

The Navy March plan represents a major increase above previous proposals. The Marine Corps significantly expanded the number of women they plan to have between the POM submission and the FYDP.

The Air Force, however, is moving in the opposite direction. Each of their successive submissions has lowered both the planned female enlisted strength and accessions.

The Air Force derived their POM and FYDP figures, which are considerably higher than the Air Force's current plan, using straight-line projections of FY 1978 procurement rates. Subsequent changes in female procurement percentages and revised loss rates led to the adjustment in female accession levels shown in their current proposal.

The Market

Questions concerning market conditions arise as the Services consider using increasing numbers of women. How many young women would enlist in the military services? Do these women want to enter non-traditional skills, or do they desire employment in the more traditional areas? Would expanding non-traditional jobs or opening shipboard service to women increase or decrease the number of women desiring to enlist in the Navy? These questions are of importance to the Department of Defense as we consider expanding the numbers of women being used in the military, and the areas in which they may serve. At present, we really do not know the answers. However, a recent study indicates that, while women enlist in the Navy for about the same reasons that men do, many may become dissatisfied with non-traditional jobs.[1]

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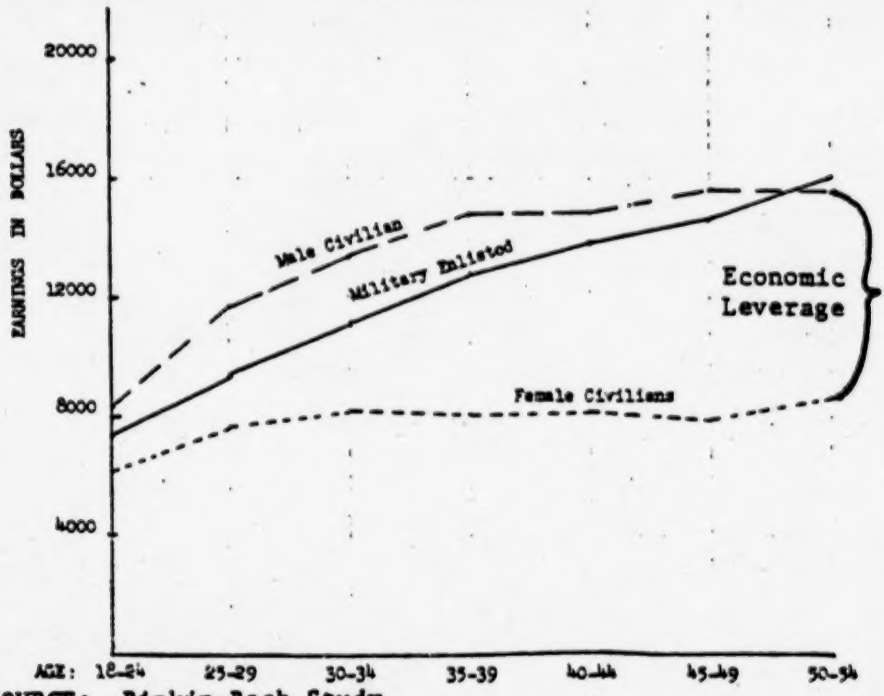
[1] Patricia J. Thomas, *Why Women Enlist: The Navy As An Occupational Choice*, San Diego, California, Naval Personnel Research and Development Center, March 1977.

To date, with the exception of the Korean War experience discussed in the background section, the Services have been able to fill the positions open to women with high quality recruits with a minimum of effort. There has been little market analysis and little effort to stimulate female accessions. One reason for the ease in recruiting women may be the relative advantage which the military enjoys in the job market for women.

Martin Binkin and Shirley Bach of the Brookings Institution in their study of women and the military argue that the Services have strong economic leverage in competing for women. As shown on Chart #1, the military compensation is considerably higher than the annual earnings of the average high school graduate woman who works full-time, year around.

CHART 1

Comparison of Mean Annual Earnings of Civilian Year-round, Full-time Wage and Salary Workers with at Least Four Years of High School but Less than Four Years of College by Sex and Age, and Military Enlisted Personnel by Age, Calendar Year 1975



SOURCE: Binkin-Bach Study.

The military women are paid the same as military men. As shown previously in this paper, women are promoted at the same rates as their male cohorts. The above chart shows that there is a considerable difference in the compensation of civilian men and civilian women who are high school graduates (but not college graduates), and who are full-time, year-round employees. This difference between civilian and military pay places the Services in a much stronger position in the labor market when competing for women than when competing for men.

The experience of the Services in recruiting women to date and the Binkin-Bach economic analysis would seem to indicate that there should be an ample supply of high quality women desiring to enter the military to meet the levels of growth projected by the Services or even for considerable increases to those levels.

The questions raised in the beginning of this section, however, form a basis of research which is needed to determine the market potential should major policy changes increase the demand for women many-fold or should policies change to require women to serve part of their career in combat units or aboard ship.

Quality of Accessions

Table 14 compares the average male and female accessions by service for a series of relevant characteristics.

TABLE 14

CHARACTERISTICS OF MALE AND FEMALE RECRUITS, FISCAL YEARS 1973-76, BY SERVICE

Characteristic	Army		Navy		Marine Corps		Air Force		Dept. of Defense	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Average age*	19.1	20.2	18.6	19.8	18.5	19.3	19.1	20.0	18.9	20.0
Percent married	14.0	14.0	6.1	4.4	5.2	1.4	17.1	13.7	11.6	11.6
Percent black	23.9	19.0	10.4	10.1	19.9	16.2	14.0	15.3	18.5	16.1
Percent high school graduates	54.1	88.4	70.4	98.6	48.0	90.9	85.8	93.0	62.9	91.7
Average test score**	51.8	73.2	58.2	82.9	56.1	86.7	62.3	82.7	55.8	86.0
Percent on Active Duty 30 June 1976	58	68	67	70	65	58	73	74	64	70

* Prior to 1975 young women had more restrictive age limits than men.
** Percentile (50 is average) on the armed forces entrance test.

The average female recruit was about a year older than her male counterpart. They had the same propensity to be married. She was less likely to be black (16.1% versus 18.5%), and much more likely to have graduated from high school (91.7% compared with 62.9%). She scored about ten points higher on the entrance tests. Seventy percent of the women accessions during the period were still on active

duty at the end of June 1976, as compared with 64% of the male accessions. Only in the Marine Corps was the percentage of women accessions on active duty lower than for the men.

The best known indicator of prospective success in the military is the possession of a high school diploma. Table 15 compares the percentage of male and female recruits who had high school diplomas when they enlisted.

TABLE 15

PROPORTION OF ENLISTED NON-PRIOR SERVICE RECRUITS WITH A HIGH SCHOOL DIPLOMA BY SEX, FISCAL YEARS 1971 TO 1976

	Fiscal Years					
	1971	1972	1973	1974	1975	1976
Male Recruits	68.3	66.8	65.5	58.1	52.5	66.7
Female Recruits	93.9	94.4	95.2	91.7	90.6	91.1
TOTAL RECRUITS	68.9	67.8	66.9	60.8	65.0	68.7

From Tables 14 and 15, it is obvious that the average women recruit is brighter and more likely to have a high school diploma than the average male recruit. The comparison favors women even more when we compare recruits at the margin, the lowest quality male recruits and the women who would replace them. The marginal male recruit is either a mental group IV or a high school dropout. He could be replaced by a woman who is much more likely than he to be a high school graduate with an average or better test score. This conclusion is especially true for the Army.

As male recruiting pressure tightens, these differences in quality between the marginal male and female accession can be expected to widen further.

Cost Comparisons

Pay of men and women in the military is the same if they are of the same grade and longevity, have the same skills, are in the same dependency status, and have similar access to public quarters and messing facilities. In other words, the military provides equal pay to similar people

whether they are male or female. In the past, women tended to cost less than men, because more of them were unmarried. As shown in Table 14, now about 11% of both men and women recruits are married. Higher medical costs for the dependents of men tend to be balanced by the higher medical costs of women on active duty. On balance, the cost of men and women on active duty is about the same.

The marginal cost of recruiting represents a major difference in the cost of men and women. In order to obtain sufficient numbers of young men who have graduated from high school and test average or above on the entrance tests, the Services each maintain large recruiting and advertising programs. These recruiting and advertising programs attract more high quality women and lower quality men than are presently used. Assuming that there is no additional cost to attract women or lower quality men, the following are the comparative marginal costs for men and women, excluding enlistment bonuses:

TABLE 16

MARGINAL COST OF RECRUITING*

	Army	Navy	Marine Corps	Air Force
High Quality Men	$3,700	$1,950	$2,050	$870
High Quality Women	$ 150	$ 150	$ 150	$150
Lower Quality Men	$ 150	$ 150	$ 150	$150

* Excludes enlistment bonuses.

Enlistment bonuses are now paid predominately to people entering the combat arms in the Army and Marine Corps. While women will liberate men to serve in combat arms, it is not clear that the bonus will cease to be necessary. But without increased numbers of women, the cost of attracting current levels of male high school graduates could increase markedly. The enlistment bonuses for 1976 were $68.5 million and for 1977 will cost $54 million. For 1978 they are estimated to cost $75 million. The requirement to recruit about 225,000 male high school graduates

from a shrinking population base could drive bonus costs up rapidly, conceivably by over $1 billion per year.

Martin Binkin and Shirley Bach, in chapter 6 of their Brookings study, estimated that maintaining the 1976 level of 225,000 male high school graduates could cost upwards to $6 billion more per year by 1982, if the number of women accessions is not increased and if the Services should attempt to use across the board military pay increases to attract sufficient numbers of young men. This $6 billion figure assumes pay raise increases to all military personnel in order to meet the cost of the marginal recruit. Selective enlistment bonuses could produce similar results for considerably less; but, as shown above, even such bonuses could result in increases of more than a billion dollars. If women can do enough of the jobs which must be done, considerable savings can be realized.

Women accessions may be used either to upgrade the quality of the force by recruiting high quality women in lieu of low quality men at the same cost or to save costs by replacing high school graduate men with women of the same quality for lower recruiting costs and avoidance of future increases in enlistment bonuses.

Binkin and Bach, after a rather detailed analysis, concluded their cost chapter with the following observation: "Far and away the most important financial consequence of increasing the proportion of women in the military . . . is the prospect of being able to maintain desired quality standards among volunteers without incurring large increases in military payroll . . . Indeed, whether or not this nation can sustain its armed forces solely by voluntary means could well depend on how effectively the female labor resource is employed."

In addition to the costs discussed above, there are other costs, difficult to quantify, associated with more women in the military. These costs include:

- Reduced performance because of physical differences
- Lost time for pregnancy and abortions

- Restrictions on deployability
- Sociological limitations on use of women in combat.

Physical Differences

In many jobs in the military, physical characteristics are important. Table 17 compares the height and weight of 18 year old men and women.

TABLE 17

COMPARISON OF PHYSICAL STATURE OF 18 YEAR OLD MEN AND WOMEN

Percent at or Exceeding the Measurement	Height (Feet and Inches)		Weight (Pounds)	
	Men	Women	Men	Women
5%	6'2"	5'8"	212	183
10%	6'1"	5'7"	196	160
25%	6'0"	5'6"	168	140
50%	5'10"	5'4"	152	126
75%	5'8"	5'2"	139	115
90%	5'6"	5'1"	128	105
95%	5'5"	5'0"	119	100

SOURCE: National Center for Health Statistics, Monthly Vital Statistics Report, (HRA) 76-1120, Vol. 25, No. 3, Supplement, U.S. Department of Health, Education and Welfare, June 22, 1976.

As shown in Table 17 above, only 5% of the 18 year old women are as tall as 75% of the men of the same age, while 95% of such men are taller than the average woman. Over 90% of the men weigh more than the average woman. Of women age 18 to 24, about 30% have a sitting height of less than 31.9 inches and about 50% have a popliteal height of less than 16 inches. Both of these measures are less than the measurement of 95% of men in the same age group.[1] Women have about 67% of the endurance of men and 55% of the muscular strength of men.[2] Even when size is held coustant, women are only 80% as strong

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[1] U.S. Public Health Service (Department of Health, Education and Welfare) *Weight, Height and Body Dimensions of Adults, United States 1960-1962*, Series 11, No. 8, June 1965, pp. 26-31.

[2] Jean D. Watheys, M.D., "Women in the Work Environment", Paper presented to Annual Meeting of the Academy of Occupational Medicine, San Francisco, California, March 1974.

as men.[3] An Army study showed that women undergoing a physical training program similar to that of men improved in physical strength only 24% as compared to 50% for men.[4] There are other physiological differences, such as the ability to tolerate extremes in heat and cold where women seem to be at a relative disadvantage.[5]

American women are generally smaller than American men. Oriental men also tend to be smaller than American men. Many of the problems faced in using more women in non-traditional positions in our armed forces were also faced in adapting equipment and procedures for the use of allied forces with men who are generally smaller than American men. The problems are not insurmountable, but the reality of these physiological differences should not be wished away in our efforts to avoid sexual discrimination or to substitute women for men in sustaining the all-volunteer force.

In some positions in the military these physiological differences may be a disadvantage and in others an advantage. Positions which require muscular strength above the level expected of many women should only be filled by people possessing the required strength. The Air Force is leading the way in developing tests of strength to be used to classify positions and be sure that either men or women who are assigned to such positions possess the needed strength. About 28% of the women tested by the Air Force could lift 70 pounds to a height of six feet, which was the most stringent test. Virtually all women tested could lift 40 pounds to elbow height. This criteria would

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[3] James A. Peterson, PhD., "Physiological Differences Between Men and Women", Unpublished.

[4] *Project 60: A Comparison of Two Types of Physical Training Programs on Performaning of 16-18 Year Old Women*, U.S. Military Academy, West Point, New York, 1976.

[5] Richard L. Burse, et al, *Differences Between Males and Females of Military Age and Their Physiological Response to Cold and Heat Environments*, U.S. Army Research Institute of Environmental Medicine, 1975.

meet the strength needs of most non-combat jobs in the military.

By the time all of the latest equipment is installed, many of our ships, aircraft, land vehicles and other facilities become very cramped for space. We may be able to take advantage of the smaller size of women in manning such positions. However, the size differences could require redesign of various equipment to permit women to operate the equipment effectively and safely. This area may need considerable attention if more women are brought into the Service.

Lost Time

Lost time due to pregnancy, menstruation and abortion are often cited as inefficiencies associated with women. All of the evidence indicates that very little time is lost for menstruation by healthy women with good physical fitness. Pregnancy does account for considerable lost time.

The Army collected data during fiscal year 1976. For pregnancies terminated in abortion, the lost time approximates that of a minor illness, averaging 10–12 days, including 4.8 days of hospitalization.

According to the Army, approximately 8% of the women become pregnant each year and 5.4% of the women on active duty go to term and deliver a child each year. The average pregnancy carried to term causes 105 days lost time or 29% of a manyear. At any given time, 3.8% of the women can be expected to be pregnant or on postnatal convalescent leave. For the Army, some 40% of the women giving birth on active duty request release from active duty after postnatal leave.[1]

The Air Force reported similar results with approximately 8% of their women becoming pregnant each year. The Air Force reported that women have about twice the lost time as men due to medical absence.[2] Much of this lost time is due to pregnancy and related female medical care.

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[1] Women in the Army Study, Chapter 7.

[2] Biometrics Report No. 114.

The pregnancy problem is similar in the Navy and Marine Corps, but the Navy pointed out that lost time due to pregnancy and abortion should be weighed in the context of total lost time. Table 18 compares major lost time categories in the Navy for enlisted men and women.

TABLE 18

COMPARISON OF LOST TIME FOR ENLISTED MEN AND WOMEN IN THE NAVY

Lost Time Category	Lost Days as a % of Total Days Available	
	Women	Men
Alcohol Abuse	.09	.12
Drug Use	.02	.12
Unauthorized Absence (AWOL)	.05	.24
Returned Deserters	.07	.62
Abortion	.03	0
Pregnancy	.37	0
TOTAL	.63	1.10

Even though pregnancy is the major cause of lost time among women, they lose, on the average, only about half as much time as men. Men's lost time to desertion, alcoholism and drug abuse tend to result in the loss of several consecutive months, similar to pregnancy. Lost time for unauthorized absence is usually a matter of days lost, as is abortion. However, both desertions and unauthorized absences may correlate with unpleasantness of an individual's jobs. Women are less likely to be in such jobs than men, especially in the Navy. All Services are initiating studies of comparative lost time for men and women.

Deployability

Each Service has found that long periods of consecutive lost time hurt unit effectiveness and reduce the deployability of a unit. Should a unit need to deploy rapidly in an undermanned condition, it would be less capable of performing its mission.

While about 40% of all military women who become pregnant on active duty and go to term request early release, 60% continue to serve with small children. The Services believe that these women require more special

considerations than most women without children or most men. They are often limited in the hours they can work and are restricted in attending field maneuvers and other special demands. Perhaps most serious is the limitations on deploying these women in case of national emergency.

Air Force data indicate that 14,000 or 40% of the women in the Air Force are married to military men. Often they are assigned to the same unit or at least the same base. When they have children, there is a real limitation on the deployability of both parents. Other men and women are the sole custodians of small children. They are also limited in their work assignments and, especially, in deployment during national emergency. These are important limitations which need more study and documentation to determine the potential impact on our current readiness and our responsiveness in case of national emergency. They are under review by all of the Services and the Office of the Secretary of Defense.

Combat Restrictions

There are sociological limitations on the use of women in combat. As the Women in the Army Study points outs, women have fought well in various countries during periods of intense national crises; but today no major nation has women in combat jobs in their standing Army—not even Israel. As more women are recruited, this restriction becomes increasingly relevant. Support people in peacetime often become combatants when a war breaks out. If a significant proportion of our peacetime force cannot make that transition, we may face serious shortages in early periods of a major conflict.

This problem can be minimized somewhat by reconsidering what is combat. Leading a bayonet charge is different from launching an ICBM from the United States or operating a fire control system for artillery behind the lines. There is a difference between the first wave of an amphibious invasion and controlling aircraft from an aircraft carrier or typing correspondence on a fleet oiler. Ground combat is fought under particularly harsh conditions. We are just beginning to assess the impact of field

conditions on women. We need to reexamine the positions which are now closed to women because of the combat criteria, but we also need to look at the limits on flexibility which growing numbers of women impose on our ability to mobilize and fight a sustained conflict.

Summary

This general analysis has examined the threefold increase in female enlisted personnel which has occured since 1972, and concludes that women are concentrated in traditional skills, but are found in significant numbers in all of the non-combat skills. Women are promoted at least as rapidly as men, and now have slightly lower attrition rates than men during their initial enlistment. Women have a higher propensity to leave non-traditional occupations, and a higher propensity to remain in the more traditional ones.

Except for the Army, all of the Services plan to continue increasing the number of women. The Marine Corps plans to more than double the number of enlisted women from 1976 to end 1982, while the Air Force plans a 55% increase and the Navy expects a 48% increase over the same period. The Army is planning an increase of only 14% over the next five years, with no increase in enlisted women after reaching 50,400 in 1979.

There appears to be an adequate market of high quality women available to meet the growth patterns expected and probably to provide for a significantly larger demand. The average female accession in recent years compares very favorably with the average male recruit, and the marginal woman available to be recruited would appear to be of much higher quality than the marginal man she would replace.

The marginal cost of recruiting high quality men is significantly higher than for high quality women. The marginal cost difference is greatest in the Army and least in the Air Force. The cost avoidance of not placing excessive demand on the market for bright young male high school graduates may exceed $1 billion per year by 1982.

The nation may not be able to afford to use military pay increases to continue to attract such large numbers of young male high school graduates. The success of the volunteer force may well depend on the number of young women who join the military and how they are used.

SERVICE ANALYSIS

On January 27, 1977, the Secretary of Defense directed the ASD(M&RA) to undertake a priority analysis of the use of women in the military, as part of a larger analysis of military manpower utilization. The Services were asked to assist the analysis by:

(1) Providing data for their FY 1977 force structure on total positions, positions closed to women because of combat restrictions, non-combat positions closed because of rotation requirements for men filling combat positions, and non-combat positions closed to women for other reasons.

(2) Structuring and evaluating an alternative that would double the number of women from June 30, 1976 to September 1982.

(3) Discussing known limitations on the supply of women.

(4) Providing comparative data on performance of integrated units with similar "male only" units.

(5) Discussing other pertinent problems.

The tasking memorandum is at Appendix A. The following four sections summarize the data submitted by the Services and discuss Service-specific problems. One section is devoted to each Service.

Army

The Army submitted more information than any of the other Services. They have experienced the largest growth in both the number and percentage of women in the last five years and have devoted considerable study effort to the use of additional women during the past year. The Army needs more recruits than any other Service and is

very sensitive to the need for quality accessions in the all-volunteer force environment.

The Army is currently in a planned expansion of women, driving toward a goal of 50,400 enlisted women by the end of fiscal year 1979. They argue strongly in their submission that they should not be forced to increase above that level of enlisted women until they have evaluated the impact of such increases. The Army presentation is quoted at Appendix B. The Army does project gradual increases in women officers. Table 19 shows the Army's March, 1977 plan.

TABLE 19

TOTAL NUMBER OF ARMY WOMEN ON ACTIVE DUTY AT END FY (000)
(MARCH, 1977 PLAN)

	Actual		Projected					
	FY 76	FY TQ	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
Officers	4.8	5.1	5.9	6.7	7.3	7.9	8.5	9.0
Enlisted	43.9	44.4	46.3	48.4	50.4	50.4	50.4	50.4
TOTAL	48.7	49.5	52.2	55.1	57.7	58.3	58.9	59.4

An examination of both the alternative plan and the Army's current plan shows an intention to increase women officers by a higher percentage than enlisted women. The alternative plan would be almost triple the number of women officers who were in the Army on 30 September 1976, while increasing enlisted women by 91%. The Army's current plan would increase women officers by 76% and enlisted women by only 14%.

Table 20 summarizes the Army data submission on the current force structure. (The meaning of rows A through I are discussed on pages 15–17.)

TABLE 20

SUMMARY OF ARMY DATA SUBMISSION
(000s)

	Enlisted	Officer	Total
Positions Authorized for End FY 77			
A Total Military Structure Positions	566.6	85.6	652.2
B Combat Unit Spaces	260.9	21.3	282.2
C Combat Support Unit Spaces	20.1	9.3	29.4
D Remainder A-(B+C)	285.6	55.0	340.6
E Rotation Base	23.3	2.5	25.8
F Physiological Limits	0	0	0
G Other Limits	217.0	38.7	255.7
H Open to Women Net D-(E+F+G)	45.2	13.8	59.0
Strength			
I Actual Strength 30 Sept. 1976			
a. Operating Strength	35.3	4.1	39.4
b. Non-Operating Strength (individuals)	9.1	1.0	10.1
c. Total	44.4	5.1	49.5

NOTE: Structure positions should be compared with operating strength rather than total strength.

Line "H" from the enlisted column of Table 20 shows an Army estimate of 45,200 enlisted positions as the maximum number of women who should serve in structure positions of the Army. This corresponds to about 57,000 enlisted women when individual requirements are added.

Line "D" on Table 20 shows some 285,000 enlisted positions in the Army after the combat and combat support units are removed. The policies which reduce this 285,600 to 45,200 are central to the issue of increasing the number of enlisted women above the Army's proposed level of 50,400.

About 23,300 positions are closed to provide for rotation of men from overseas units where women are not assigned. The remaining reduction of 217,000 non-combat positions deserves special attention.

In April 1975 Army developed the limitations on the percentages of women in non-combat units shown in Table 21 and began manning to those levels in February 1976.

TABLE 21

LIMITS ON ARMY WOMEN IN NON-COMBAT UNITS

Type Unit	Maximum % Women
- Units which operate forward of brigade near boundry	0%
- Units operating between division and brigade rear	10%
- Units operating between corps and division rear	15 to 30%
- Units operating behind corps rear boundry	25 to 45%
- Units not expected to leave CONUS in an emergency	25 to 50%

Those percentages tend to control the number of women which the Army says it can use, because they are major parameters in the analysis the Army uses to determine the number of women accessions.

The Army parametric analysis follows a six step process outlined in more detail in Appendix B. It takes authorized enlisted positions by grade, skill and unit for the future force. It applies these limitations on women by type of unit and for excluded skills. Women are precluded from positions using the more restrictive of the two screens.

For example, there can be no woman in a unit which would operate in the brigade area and not more than 10% in a unit operating at division level. Certain skills, such as infantrymen, combat engineer, and hawk fire control crewman are excluded no matter where the unit might operate. (See Appendix B for a complete list of the 31 skills to be closed to women for combat reasons.) Both screens would be applied by MOS. The lower of the two numbers would be used.

These steps account for closing about 68,000 positions to enlisted women.

The results of these first steps of parametric analysis are inputted into the Army's Women Enlisted Expansion Model (WEEM). The WEEM applies further constraints on the number of positions open to women to insure that the positions provide for acceptable promotion, rotation, and management flexibility. The model is constructed to designate males over females. For example, E-3 clerk-

typist positions in Army combat units are filled by men. Clerk-typist positions in major command headquarters or at the Pentagon in grades E-4 or E-5 could be filled by women. Some of them, however, are designated for men, to provide promotion opportunity for the male clerk-typists in combat units. Positions open to women are reduced in a similar fashion in solving any promotion, rotation, or management problems. The WEEM is also outlined in Appendix B.

As the result of the WEEM, 13 additional skills are to be closed to enlisted women. They include Defense Acquisition Radar Crewman, closed because of career progression constraints, and Concrete Paving Equipment Operator, closed because of lack of entry positions. For the complete list, see Appendix B. Many other skills, while still open to women, were sharply curtailed by the WEEM analysis. In addition to the 23,300 enlisted positions closed because of rotation base, the WEEM precluded women from about 149,000 enlisted positions because of promotion and other management constraints.

The parametric analysis takes the output from the WEEM and adds people to cover transients, patients, prisoners, students, and trainees.

The final step of the parametric analysis applies the constraints of the Army's Enlisted Force Management Plan (EFMP) using the objective grade structure and expected continuation rates to determine how many female accessions would be needed to meet the positions expected by grade. Table 22 shows the current limits by grade.

TABLE 22

ARMY FEMALE ACCESSIONS CONSISTENT WITH FILLING ALL POSITIONS OPEN TO WOMEN IN A GIVEN GRADE

Grade	Accessions/Year
E2-4	10,900 - 13,700
E5	21,300 - 29,500
E6	18,400 - 29,000
E7	21,600 - 39,200
E8	19,300 - 33,400
E9	15,400 - 24,300

The table shows that 10,900–13,700 female accessions per year would fill all positions open to women in grades E–2 through E–4 with women, given expected continuation rates and promotion policies. Similarly, 21,300–29,500 female accessions per year would fill all positions open to women in grade E–5 (but would provide more women in grades E–2 through E–4 than there are positions open to them). For men, the largest limiting grade would be used. For women, the smallest limiting grade, E–2 through E–4, is used to set steady state annual female enlisted accessions between 10,900 and 13,700, or between six and eight percent of planned total enlisted accessions.

Small changes in the parameters, such as the percentage of women authorized in the field units could significantly increase the number of women who could be used in pay grades E–2 through E–4. Similarly, acceptable changes in the promotion, rotation, or management requirements for men by MOS could significantly increase the number of women which could be used, especially in the limiting pay grades of E–2 through E–4. If enough females E–2 through E–4 could be used, the number of women accessions could be nearly doubled, as shown in the grade limitations in Table 22. That would permit a female steady state strength in excess of 100,000.

The Army submitted a report entitled *Women in the Army Study*, dated December 1976, in support of their arguments against further increases in women. While the study represents considerable effort, it is incomplete in several respects. For example, an entire chapter is devoted to the lost time problems associated with pregnancy and sole parent dependency, but no mention is made of areas where women have better lost time records than men. No mention was made of the lower disciplinary problems of women or the greater lost time to men because of higher rates of desertion, AWOL, drug use and alcohol abuse. No mention was made of the higher retention rates for women shown earlier in this report, which also result in greater productive time per person. Women may have about the same total lost time as men on the

average; but, much more importantly, women would appear to have a propensity for much less lost time, than the low quality male accessions they would replace. The Army has initiated studies to obtain comparative data on lost time for men and women.

The Army is conducting tests which are showing interesting results. One such Army test, called Women Content in Units Test (MAX WAC), has been examining the performance of company level TOE units with various mixes of women. Preliminary results indicate that there is no significant difference in performance of units because of the percentage of women assigned. The tests will involve units with up to 35% women.

The Army has formed a steering group of general officers whose job it is to oversee the expansion of the number of women in the Army. The steering group also monitors ongoing programs. This group has cautioned the Army to be careful not to expand too rapidly and too far. They have also initiated a number of actions which have expanded the role of women in the Army, as the following examples indicate:

— Changing policy for command to permit women to command men.

— Causing enlistment options to be the same for men and women where feasible.

— Opening additional skill areas to women.

— Modifying overseas tour lengths to make them the same for men and women.

— Revising design criteria for barracks construction to make new barracks suitable for both men and women.

Martin Binkin and Shirley Bach in their study at the Brookings Institution entitled, Women and the Military, concluded that as many as 175,000 Army enlisted jobs could be filled by women without disrupting male career patterns, if women's assignments to non-combat jobs behind the brigade rear boundry were not restricted. The data submitted by the Army and summarized in the en-

listed column of Table 20. indicate that there are 285,000 non-combat enlisted positions in the Army. These are reduced to 54,000 enlisted positions for women by the parametric analysis discussed above. A more balanced approach to the personnel management constraints in the Army procedure would increase that 54,000 considerably. How much is not clear at this time, but the Binkin-Bach 175,000 number may not be an unreasonable upper limit.

If officers are considered as well as enlisted, the upper limit on the number of women which can ultimately be used in the present Army is probably between 59,000 and 200,000. It is clear from examining the Army's parametric analysis that the 8% enlisted accession rate for women associated with 59,000 women positions is over-controlled. Relatively small adjustments in the limits imposed from brigade through corps for deployable units, or wider tolerances for promotion, rotation, and management flexibility, could increase the Army limit to 80,000, including 68,000 enlisted. Tihs would permit enlisted female accessions of about 12% of total non-prior service enlisted accessions. Whether the correct number is 80,000 or 100,000 women or even the Binkin-Bach 200,000 women is not clear. Analysis of the impact on the Army as the number of women increase will be an important part of deciding that final number.

Table 23 summarizes the number of enlisted women in the Army after reaching steady state and the approximate percent of current enlisted accessions which would be necessary to reach and sustain those levels, under the various limiting cases discussed above:

TABLE 23

ALTERNATIVES FOR ENLISTED WOMEN IN THE ARMY

	Maximum Steady State Enlisted Women	Approximate Percent of Enlisted Accessions Which Would Need to be Female
Binkin-Bach Estimate	175,000	30%
Study Alternative Case	85,000	15%
Estimate from Adjustments	68,000	12%
Army Data*	57,000	9%
Army Plan	50,400	8%

* Table 20 adjusted for Individuals, see pages 32-33.

It will take the Army time to assimilate the four-fold increase it has made in women content in the last five years. Much of the problem in adjusting to women in new roles and units is psychological and requires some time for acceptance. The Army's approach is to move very slowly in the next few years.

Under the Army's plan to stabilize the number of enlisted women in the Army at 50,400, the number of accessions would actually drop from an FY 74-76 average of 16,400 per year to 14,900 in FY 79-82. This drop will occur as many of the current E-2 through E-4 women become more senior Non Commissioned Officers (NCOs). If the Army can use something near the current number of women in pay grades E-2 through E-4 each year, the overall number of enlisted women should be able to increase as more women become NCOs.

One solution to the women strength issue is to stabilize the annual female enlisted accession rate, and let the number of women in the Army grow gradually. As more experience is gained with these higher levels of female strength, accession plans could be reevaluated.

We have very little experience operating with high percentages of women. Even at the peak of World War II, the Army only had 2.2% women, compared to 6.5% on June 30,

1976. It appears the Army can use more enlisted women. They will help make the all-volunteer force succeed and will save money. But the growth must be watched to ensure that the fighting capability of the Army is strengthened, not weakened by additional enlisted women.

Navy

Table 24 summarizes the Navy data input from the 1977 force structure. (The meaning of rows A through I are discussed on pages 15–17.)

TABLE 24

SUMMARY OF NAVY DATA SUBMISSION (000s)

Positions Authorized for End FY 77	Enlisted	Officer	Total
A Total Structure Positions	381.8	53.7	435.5
B Spaces in Combat Units	229.9	16.1	248.5
C Spaces in Combat Support Units		2.6	
D Remainder A-(B+C)	151.9	35.1	187.0
E Rotation Base	84.2	3.8	87.9
F Physiological Limitations	0	0	0
G Other Limitations*	38.0	14.8	52.8
H Open to Women, Net D-(E+F+G)	29.7	16.5	46.2
Strength			
I Actual Strength 30 Sept. 1976**			
a. In structure positions***	15.8	3.3	19.1
b. Individuals	3.5	.3	3.8
c. Total	19.3	3.6	22.8

* Some of these positions are also restricted because of Section 5 of Title 10, which precludes women from assignment to ships of the Navy except hospital ships and transports.

** Enlisted strength was adjusted between individuals and structure positions based on total distribution for men and women.

*** Women in structure positions, line Ia, should be compared with net structure positions, line H.

From Table 24 it can be seen that two major factors limit the Navy in the number of women which can be employed.

First, positions in combat and combat support ships and aircraft squadrons are closed to women. Section 6015 of Title 10 precludes the assignment of women to combatant aircraft and ships, other than hospital ships and transports. Since the Navy has no hospital ships or transports, this provision of the law excludes women from all operational units except a few aircraft squadrons and tug boats. This restriction eliminated over 250,000 positions shown in lines B, C, and G, of Table 24.

Second, the rotation base to provide shore duty for the men who serve in positions aboard ship eliminates another 88,000 positions. Indirectly, these restrictions may also be attributed to Section 6015. If women could serve aboard ships, they could also serve in the rotation base supporting the positions aboard ships.

Thus the effect of Section 6015 is to exclude women from more than three-quarters of the positions in the Navy.

Many ships of the Navy could accommodate women easily. If Section 6015 were repealed, women could serve on support ships without being directly involved in combat. Even if women served on major combatants, in the same skills they now perform ashore, their risk in case of war would be little different than the risk to Navy women in some shore jobs.

For instance in Vietnam, the chance of the enemy inflicting wounds on a woman aircontroller in Danang or Saigon was probably higher than on a male aircontroller on an aircraft carrier operating at either Yankee or Dixie station. The chance of becoming a casualty in a major war with the USSR is probably as high for a woman yeoman assigned to the NATO headquarters in Brussels, as to the male yeoman assigned to a replenishment ship in the central Atlantic.

The Navy has submitted legislation to slightly modify 6015. Women could serve in vessels such as training and

research ships; but it would not permit women on auxiliaries such as oilers and replenishment ships or on combatants such as cruisers and aircraft carriers, except for temporary duty. It would open 2,000–3,000 positions to women. To make more significant changes, Section 6015 would need to be repealed or drastically modified.

Senator William Proximire proposed an amendment to the Military Procurement Authorization Act of 1978 on the floor of the Senate which would have implemented the Navy proposal and would have given the Secretary of Defense authority to determine which positions in the armed forces would be open to women. The Department of Defense supported that amendment. However, at the suggestion of Senator Sam Nunn, Senator Proxmire modified his amendment to direct the Secretary of Defense to study the issue and report within six months a definition of the term "combat" and make legislative recommendations. The Senate passed the modification.[1]

Table 25 shows the current Navy proposal.

TABLE 25

TOTAL NUMBER OF NAVY WOMEN ON ACTIVE DUTY AT END FY (000)
(MARCH, 1977 PLAN)

	Actual		Projected						
	FY 76	FY TQ	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83
Officers	3.5	3.6	3.8	4.0	4.2	4.4	4.6	4.8	5.0
Enlisted	19.2	19.3	19.6	20.5	22.5	24.7	26.4	28.5	30.3
TOTAL	22.7	22.8	23.5	24.5	26.7	29.1	31.0	33.3	35.4

In Appendix C, the Navy presents a convincing argument that the expansion of the number of women should not exceed their plan, which would reach 35,400 women, including officers, by the end of fiscal year 1983.

The Navy states that their plan will use women to fill jobs ashore to the maximum extent feasible within lim-

[1]*Congressional Record*, 95th Congress, 1st Session, vol. 123, No. 84, May 17, 1977, S7785–S7790.

itations on male sea/shore rotation, force structure, and current female statistical information and modeling. The Navy also cautions that they know very little about the likelihood of certain women to stay in the Service—especially those in non-traditional skills.

There are some berthing problems which the Navy will have to identify and correct in order to meet their new plan. In addition, the Navy warns that it is not possible to quantify the impact of more women on unit effectiveness or personnel management. The reduction in positions ashore will have some adverse impact on male reenlistment. This is expected even in enlisted ratings that have more shore duty than sea duty. The extent of this impact is difficult to estimate. Additional discussion of these and related problems submitted by the Navy is provided in Appendix C.

Binkin and Bach estimate the Navy's potential to use enlisted women, to be 42,000, unless the current restrictions on sea assignment are removed.

Clearly the major action needed to provide better use of women in the Navy and permit them to make larger contributions to the defense effort of the Navy lies in obtaining repeal of Section 6015 of Title 10. In the meantime, the Navy's current plan, moving to 33,300 women by 1982 and 35,400 by 1983, appears to be near the maximum which can be expected as long as Section 6015 is in force.

Air Force

Table 26 presents a summary of the Air Force data submission. (The meaning of rows A through I are discussed on pages 15–17.)

TABLE 26

SUMMARY OF AIR FORCE DATA SUBMISSION (000s)

Positions Authorized for End FY 77		Enlisted	Officer	Total
A	Structure Positions	415.3	90.2	505.5
B	Combat Positions which Exclude Women)	27.4	36.3	63.7
C	Combat Support which Exclude Women)			
D	Remainder A-(B+C)	387.9	53.8	441.7
E	Rotation Base	0	0	0
F	Physiological Limits	0	0	0
G	Other Limits (Facilities)	72.1	*	72.2
H	Net D-(E+F+G)	315.8	53.8	369.6
Strength				
I	Actual Women 30 Sept. 1976			
	a. Women in Structure Positions	29.7	5.0	34.7
	b. Individual	1.2	*	1.2
	c. Total Women	31.0	5.0	36.0

* Less than 50.

NOTE: Women in structure positions, line Ia, should be compared with net spaces, line H.

Table 26 shows that there are more officer positions limited because of combat and combat support than enlisted. Unlike the other services, in the Air Force the officers carry the brunt of the combat duty. Aircrews are very officer intensive, and they are the ones who engage the enemy.

The only other constraint on the assignment of women is 72,000 enlisted positions overseas for which there are inadequate facilities for single women. This represents some 45% of such overseas enlisted authorizations. The Air Force has very strict rules on the joint use of facilities by men and women, which they believe are necessary for adequate privacy.

The Air Force has moved foward in providing equal opportunity for women within the constraints of Section 8549 of Title 10, which preclude women from serving in the crews of combat aircraft. Since the law was passed in 1948, the Air Force has considered all aircraft to be combat aircraft and has precluded women from serving on flight crews, although some women have served as flight attendants, especially on medevac flights. In 1976, the Air Force revised their interpretation of the law and initiated a test of women as pilots and navigators. The first group

of women entered flight training in September 1976. The results of this test will provide experience on which to base future policies and objectives concerning women in aircrew positions.

The Air Force also restricts women from serving on ICBM crews, because such positions are combat related. This represents less than 1% of the positions in the Air Force and will have little impact on the number of enlisted women the Air Force can use. However, it is a strict interpretation of combat exclusion.

As shown on Table 26, the Air Force has over 369,000 officer and enlisted positions which could be filled by women. Some of them require considerable physical strength, and thus disqualify most women. It is the Air Force policy to try to identify the restricting factor in non-sex criteria and permit any man or woman to fill the position, as long as he or she meets those criteria. For example, a position may require an individual to lift 70 pounds to a height of six feet. Women and men who can meet the requirement are equally eligible.

This procedure appears to be the best way to handle the problem, but it does invalidate use of the numbers on Line "H" of Table 26 to conclude how many women can be effectively used by the Air Force.

The Air Force, like the Army and Navy, has experienced rapid and large growth in the number of women, increasing from 16,000 in 1972 to over 38,000 at present. The Air Force plans to continue increasing the number of enlisted women, but at a slower pace than in recent years. Table 27 shows the Air Force's current plan.

TABLE 27

TOTAL NUMBER OF AIR FORCE WOMEN ON ACTIVE DUTY AT END FY (000)
(MARCH, 1977 PLAN)

	Actual		Projected					
	FY 76	FY TQ	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
Officers	4.8	5.0	5.4	5.8	6.5	7.2	7.9	8.6
Enlisted	29.2	31.0	34.6	40.2	42.3	44.3	46.3	48.2
TOTAL	34.0	36.0	40.0	46.0	48.8	51.5	54.2	56.8

The Air Force is currently in the middle of a major program to expand the number of women in the Air Force. The largest increase in end strength will occur in FY 1978, increasing the number of officer and enlisted women in the Air Force from 40,000 in 1977 to the 46,000 level in 1978. In response to the request for data for this study, the Air Force submitted their current plan, to be initiated in 1979, which continues to increase the number of women on active duty to reach 56,800 by 1982.

There appears to be considerable room for growth in the number of women in the Air Force. Binkin and Bach estimate a potential for the Air Force of up to 366,000 positions which could be filled by enlisted women. That would appear to be consistent with the findings of this study, but we would probably never want to fill all those positions with women. The major question is how fast should the number of women in the Air Force be increased.

There is a possible side benefit of reducing the number of high quality men recruited by the Air Force. Some of the high quality men not recruited by the Air Force will join one of the other Services into have more trouble recruiting sufficient numbers of such men. A 1973 study made in OSD(M&RA) estimated that one of every four qualified men rejected by the Air Force would join one of the other three Services. Weighed in terms of marginal recruiting costs, this does not represent very large savings. This spillover effect does not justify changing the number of women recruited by the Air Force. Any increase in Air Force women should be justified on the basis of its impact on the Air Force.

The Air Force arguments for its proposed growth plan are provided at Appendix D. Additional problems, including those related to pregnancy and women with small children are discussed as well. Again, it is clear that more information is needed on these subjects, as we move to larger numbers of women in the military.

Marine Corps

The data submitted by the Marine Corps is summarized in Table 28. (The meaning of rows A through I are discussed on pages 15–17.)

TABLE 28

SUMMARY OF MARINE CORPS DATA SUBMISSION (000s)

Positions Authroized for End FY 77		Enlisted	Officer	Total
A	Total Structure Positions	137.8	15.0	152.8
B	Combat (Fleet Marine Force)	98.8	8.5	107.3
C	Combat Support (Non-FMF)	1.3	.9	2.2
D	Remainder A-(B+C)	37.7	5.6	43.3
E	Rotation Base (not in B or C)	28.4	3.9	32.3
F	Physiological Limits	0	0	0
G	Other Limits	2.4	.4	2.8
H	Net D-(E+F+G)	6.9	.6	7.5
Strength				
I	Actual Strength 30 Sept. 1976			
	a. In Structure Positions	2.4	.4	2.8
	b. Individuals	.6	*	.7
	c. Total	3.1	.4	3.5

* Less than 50.

Many of the problems discussed in the Navy section concerning restrictions on shipboard duty under Section 6015 of Title 10 apply to the Marine Corps whose people are also expected to serve aboard ships. The Marine Corps included in the combat classification (line "B" of Table 28) all of the Force Troops of the Atlantic and Pacific Fleets, all the positions in the three Marine divisions, the three Marine air wings and the three Marine force service support groups. Future analysis should consider whether some of the positions in these organizations can be filled by women. Support units in Army divisions now have up to 10% women.

Under combat support in line "C" of Table 28, the Marine Corps included all of the remaining positions requiring infantry, artillery, tank and amphibian tractor and pilots and flight crews. All of these MOSs are closed to women.

As mentioned previously in the general analysis, the Marine Corps did not increase its percentage of women in the early 1970s as much as the other Services. The Marine Corps' current plan, which more than doubles the 1976 strength by 1982, is presented in Table 29.

TABLE 29

TOTAL NUMBER OF MARINE CORPS WOMEN ON ACTIVE DUTY AT END FY (000)
(MARCH, 1977 PLAN)

	Actual		Projected					
	FY 76	FY TQ	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82
Officers	0.3	0.4	0.4	0.5	0.5	0.6	0.6	0.6
Enlisted	3.1	3.1	3.5	3.7	4.6	5.3	5.8	6.7
TOTAL	3.4	3.5	3.9	4.2	5.1	5.8	6.3	7.3

The Marine Corps has had more difficulty than any other Service in meeting recruiting goals. Numerical targets have been reduced to ensure acceptable quality. Recruiting more high quality women could help. On the other hand, it could exacerbate another problem the Marines have: Many Marines now face alternating overseas tours away from their families. If additional women were assigned primarily to positions in the United States, this rotational burden on men would be made worse. In moving from 3,400 military women in 1976 to 7,300 in 1982, the Marine Corps needs to find ways to relieve the rotation pressure on their men. If they do this, they may be able to use effectively more than 7,300 women.

Binkin and Bach estimate a potential of 15,000 women for the Marine Corps. That appears to be high, unless more positions can be made available to women in the divisions, wings, support groups and sea going forces.

The Marine Corps is still experiencing problems providing adequate billeting, since many of their barracks are not suited for the joint use of men and women. As the number of women increases, adjustments may be necessary in living facilities. Additional comments are in Appendix E.

This analysis of the Marine Corps indicates that they should not expand the number of women more rapidly than now planned.

CONCLUSIONS

During the past five years, all of the Services except the Marine Corps have increased the number of women several-fold. These increases have been made in spite of major reductions in the force structure and a shift of positions from support to combat units. The Marine Corps is now planning to more than double its number of women by 1982.

The Navy and the Air Force are planning more modest growth patterns over the next five years, but are still planning for 46% and 50% increases, respectively, by 1982.

The Army, which made the largest increases over the last five years, now has both a larger absolute number of women and a larger percentage of the positions in their force filled by women, than any other Service. The current Army plan, however, calls for only 20% growth over the next five years and much of that is concentrated in the officer ranks.

In view of the reduction in the number of young men expected in the labor market in the 1980s and 1990s, it would seem prudent that the Army should pursue a more ambitious program to find ways to use more high quality women to meet their enlisted requirements. It would appear that more realistic constraints in their personnel programs would permit significantly larger increases by 1982.

The cost of trying to maintain the current levels of male high school graduates could become prohibitive in the next few years.

During the course of this study it has become clear that there are still many unanswered questions, including:

— What are the costs in terms of flexibility, response to uncertainty, readiness, and deployability of having more women in the military who are precluded from combat service?

— What is the impact of women with small children on these factors?

— What is the comparative lost time of men and women?

— Will more or fewer women be willing to enlist, if they are required to serve in combat support units, aboard ships, or in non-traditional skills?

The maximum woman content for grade 5 is equal to the maximum woman content for grade 4 multiplied by the ratio derived from dividing the strength of grade 5 by grade 4. The process is repeated for each grade. *Step 11*—Total female positions available are computed by subtracting the current woman content from the maximum woman content.

Combat and Combat Support Skills Which Exclude Women

Taken from Annex A of Chapter 4 of the Women in the Army Study, Headquarters, Department of the Army, December 1976.

Combat/Combat Support Skills*

11B	Infantryman
11C	Infantry Indirect Fire Crewman
11D	Armor Reconnaissance Specialist
11E	Armor Crewman
11Z	Maneuver Combat Arms Sergeant
12B	Combat Engineer
12C	Bridge Specialist
12D	Powered Bridge Specialist
12E	Atomic Demolition Munition Specialist
12F	Combat Engineer Tracked Vehicle Crewman
12Z	Combat Engineer Senior Sergeant
13B	Field Artillery Crewman
13E	Field Artillery Cannon Operations/Fire Direction Assistant
**13W	Field Artillery Target Acquisition Senior Sergeant
**13Y	Cannon/Missile Senior Sergeant
13Z	Field Artillery Cannon Senior Sergeant
15B	Sergeant Missile Crewman
15D	Lance Missile Crewman
15E	Pershing Missile Crewman
15F	Honest John Rocket Crewman
15J	Lance/Honest John Operations/Fire Direction Assistant
**16B	Hercules Missile Crewman
**16C	Hercules Fire Control Crewman
**16D	Hawk Missile Crewman
**16E	Hawk Fire Control Crewman
16F	Light Air Defense Artillery Crewman
16P	Chaparral Crewman
16R	Vulcan Crewman
17K	Ground Surveillance Radar Crewman
54C	Smoke and Flame Specialist
82C	Artillery Surveyor

* Based on existing MOS as of Change 6, AR 611-201.

** Do not appear on current list of closed MOS in AR 611-201.

NON-COMBAT SKILLS WHICH PRECLUDE WOMEN FOR MANAGEMENT REASONS

Taken from Annex B of Chapter 4 of the Women in the Army Study, Headquarters, Department of the Army, December 1976.

Skills for Temporary Closing Based on Management Considerations*

MOS	TITLE	REASON
16J	Defense Acquisition Radar Crewman	Rotation Base
21G	Pershing Electronics Material Specialist	Rotation Base
24C	Improved Hawk Firing Section Mechanic	Rotation Base
24E	Improved Hawk Fire Control Mechanic	Rotation Base
24G	Improved Hawk Information Coordination Central Mechanic	Rotation Base
24H	Chaparral System Mechanic	No Entry Level Positions
24P	Defense Acquisition Radar Mechanic	Rotation Base
24U	Hercules Electronics Mechanic	Rotation Base
25J	Operations Central Repairman	Career Progression
31D	Pershing Communications Specialist	Career Progression
45P	Sheridan Turret Mechanic	Rotation Base
45R	Missile Tank Turret Mechanic	Rotation Base
62H	Concrete Paving Equipment Operator	No Entry Level Positions

*Based on existing MOS as of Change 6, AR 611-201.

DEPARTMENT OF THE NAVY

United States Atlantic Fleet
Headquarters of the Commander in Chief
NORFOLK, VIRGINIA 23511

THIRD ENDORSEMENT on CO, USS SANCTUARY (AH 17) ltr ser 351 of 19 Nov 1973
From: Commander in Chief U. S. Atlantic Fleet
To: Chief of Naval Personnel
Subj: Women Aboard USS SANCTUARY (AH 17); evaluation of

1. Forwarded.

2. Comments and recommendations:

a. It is clear from enclosure (1) that primary emphasis in continuing the program of assigning women to ships should be in developing a corps of senior female petty officers with seagoing experience. Assigning experienced females to supervisory positions would solve a large number of the problems encountered in SANCTUARY, including, specifically, good order in berthing compartments, handling of complaints of menstrual discomfort, and others.

b. Female enlisted personnel were and are being assigned to SANCTUARY on a voluntary basis. Neither females nor males are specifically screened for SANCTUARY, nor, under the "One Navy" concept, is such screending desirable. In general, if women are to be fully integrated into the Navy they should be assigned to ships with the same training and time in service as men. Special screening of females for assignment to forces afloat would be a discriminatory practice and is not recommended. Additionally, it should be noted that EPDOLANT does not have access to service records and thus does not have the capability to screen non-rated personnel; furthermore, there is generally little basis on which to screen first-termers.

c. In the future, women scheduled to report to ships should be better advised on clothing and personal belongings restrictions necessary to life afloat. It is questionable whether ". . .the average enlisted woman will require a small wardrobe."

d. While the legal status of women officers on board ship is at best unclear, there appears to be no law or regulation specifically prohibiting women standing watch as Officer of the Deck underway. Attention is invited to Article 1003 of U. S. Navy Regulations 1948 (continued in effect as CNO Regulations pursuant to NAVOP 56 of 1973). While Article 9002 of U. S. Navy Regulations 1973, in denying women eligibility for command at sea, does prohibit their becoming Command Duty Officers, this Article would not seem to be an impediment to women standing watch as Officer of the Deck underway. With respect to women officers, there is no apparent reason for the distinction made in SANCTUARY between Officer of the Deck underway and Officer of the Deck in port. Specific guidance on the legal status of women in ships should be issued, especially in light of the possible passage of the Equal Rights Amendment.

e. Particularly noteworthy in SANCTUARY's report is the statement that "women can perform every shipboard function with equal ease, expertise, and dedication as men do." Significant in this regard is the success of women on General Quarters repair parties and on General Emergency Teams, performance on which is a good guage of general naval ability.

f. In general, the statements in paragraph (3), page 13-1, enclosure (1), do not represent severe problems, considering the nature of seagoing life. Not all male enlistees find themselves completely happy at sea either. Solutions to female complaints should be sought where possible, of course, but the same standards of maturity should be set for females as males.

g. Commanding Officers have sufficient authority to deal with persons having difficulty adjusting to mixed crews. Special authority is not required any more than in

handling racial problems. Lieutenant Canfield's remarks in paragraph (3) of her memo, and CO, SANCTUARY's actions detailed in paragraph (8), page 13–2 of enclosure (1), are cogent here.

3. In Summary, given SANCTUARY's conclusion that "both men and women have merged into members of a common disciplined crew," the pilot program has clearly been a success. While numerous difficulties developed, all are capable of solution or tolerable, if women will accept the challenge of going to sea.

/s/ _____
R. W. HAWTS
Assistant Chief of Staff

Copy to:
COMSERVLANT
COMSERVRON 2
CO, USS SANCTUARY (AH 17)

UNCLASSIFIED C-13

PRIORITY	DRAFTER'S RELEASER TIME	PRECEDENCE	LMF	CLASS	CIC	FOR MESSAGE C	TELECOMMUNICATIONS CENTER ONLY
01	02 0000000	RR	RR	UUUU			221602Z NOV 76

MSGA MESSAGE HANDLING INSTRUCTIONS

FROM: CHNAVPERS WASHINGTON DC

TO: CINCLANTFLT NORFOLK VA

CINCUSNAVEUR LONDON UK

CINCPACFLT MAKALAPA HI

UNCLAS PERSONAL FOR ADM'S KIDD, BAGLEY, AND HAYWARD FROM WATKINS

//N00000//

MALE/FEMALE LOST TIME COMPARISON

1. PROVIDED HEREIN ARE THE STATISTICS I PRESENTED AT THE RECENT CINC'S CONFERENCE ON LOST TIME COMPARISONS. THESE ARE FORWARDED AS REFERENCE MATERIAL AND FOR PROMULGATION TO SUBORDINATE COMMANDS AS YOU DEEM APPROPRIATE. THEY ARE DERIVED FROM DATA AVAILABLE WITHIN BUPERS AND COVER SIGNIFICANT, BUT NOT ALL LOST TIME CATEGORIES (READ IN SEVEN COLUMNS TITLED AS FOLLOWS):

(1) LOST TIME CATEGORY

(2) NUMBER OF WOMEN

(3) WOMEN LOST DAYS

(4) WOMEN PERCENT OF LOST TIME TO DAYS AVAILABLE

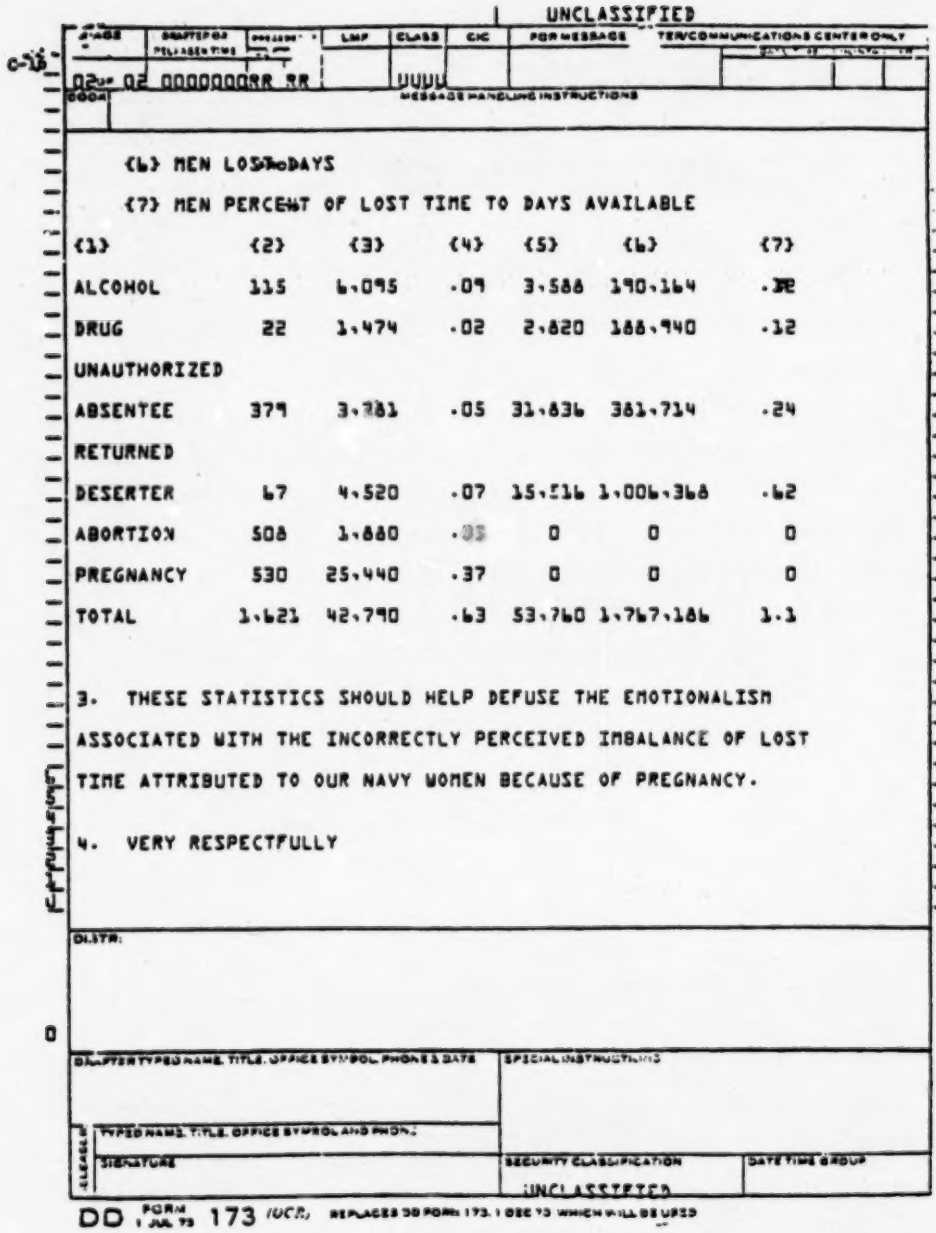
(5) NUMBER OF MEN

DISTR:

DRAFTER: BCNP/RELEASER: CNP

DRAFTER TYPED NAME, TITLE, OFFICE SYMBOL, PHONE & DATE	SPECIAL INSTRUCTIONS
RADM W.L.MCDONALD, BCNP, 41101	BCNP [signature] OA [signature]
JAMES D. WATKINS, VADM, CNP, OX41101	
SIGNATURE [signature]	SECURITY CLASSIFICATION: UNCLASSIFIED
	DATE TIME GROUP: 221600Z NOV 76

DD FORM 173 (OCR) REPLACES DD FORM 173, 1 DEC 70, WHICH WILL NOT BE USED



UNCLASSIFIED

PRECEDENCE | DTG OF RELEASE/TIME | LMF | CLASS | CIC | FOR MESSAGE | TEN/COMMUNICATIONS CENTER ONLY

02 02 000000ZAPR AR | UUUU

SUBJ: MESSAGE HANDLING INSTRUCTIONS

(6) MEN LOST TO DAYS

(7) MEN PERCENT OF LOST TIME TO DAYS AVAILABLE

(1)	(2)	(3)	(4)	(5)	(6)	(7)
ALCOHOL	115	6,095	.09	3,588	190,164	.32
DRUG	22	1,474	.02	2,820	188,940	.12
UNAUTHORIZED ABSENTEE	379	3,781	.05	31,836	381,714	.24
RETURNED DESERTER	67	4,520	.07	15,116	1,006,368	.62
ABORTION	508	1,880	.03	0	0	0
PREGNANCY	530	25,440	.37	0	0	0
TOTAL	1,621	42,790	.63	53,760	1,767,186	1.1

3. THESE STATISTICS SHOULD HELP DEFUSE THE EMOTIONALISM ASSOCIATED WITH THE INCORRECTLY PERCEIVED IMBALANCE OF LOST TIME ATTRIBUTED TO OUR NAVY WOMEN BECAUSE OF PREGNANCY.

4. VERY RESPECTFULLY

DISTR:

RELEASER: TYPED NAME, TITLE, OFFICE SYMBOL, PHONE & DATE | SPECIAL INSTRUCTIONS

TYPED NAME, TITLE, OFFICE SYMBOL AND PHONE

SIGNATURE | SECURITY CLASSIFICATION: UNCLASSIFIED | DATE TIME GROUP

DD FORM 1 JUL 73 173 (UCR) REPLACES DD FORM 173, 1 DEC 70 WHICH WILL BE USED

APPENDIX F

September 1978 Update

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R 082058Z SEP 77
FM HQDA DAPE-MPE-CS/WASH DC
TO AIG 7406

UNCLAS
SUBJECT: Employment of Women Soldiers

1. A recent DA study of women soldier employment indicated there are difficulties associated with their assignment to additional duties and perceptions exist that Army policy precludes their employment forward of the brigade rear boundary.

2. The purpose of this message is to clarify Army policy concerning the above areas:

A. Army women will not be assigned to category 1 units nor awarded combat or close combat support MOS (Chapter 4, AR 611-201 and Chapter 5, AR 570-4). The intention is to prohibit the use of women in combat forces as combatants (as defined in AR 310-25, dictionary of United States Army terms). They will be trained to defend themselves individually as well as participate in the

unit defense of combat support and combat service support units and should be employed by unit commanders in the same manner as male soldiers.

B. Unit commanders are authorized to employ women to accomplish unit missions throughout the battlefield so long as the combat exclusion policy (Para 24, above) is not violated. Women are not excluded from performance of mission duty forward of the brigade rear boundary.

C. Soldiers will not be excused from the performance of unit duties solely on the basis of gender.

3. Combat exclusion policy for women as well as other facets are currently under review. Upon completion of this effort, the above policies will be revised as appropriate and published in applicable regulations.

4. Request the above receive the widest dissemination.

R 032227Z MAR 78 ZOC ZEO T ALL US ARMY REPS AND ACTIVITIES
FM HQDA WASH DC//DAPE-MPE//
TO ALARACT

UNCLAS
Rogers Sends
Subject: Women in the Army

1. In the last five years the number of women in the active Army has more than tripled while an even greater increase has occurred in the reserve components. These increases and the entrance of women into many nontraditional skills present challenges. The purpose of this message is to emphasize the Army's commitment to the integration of women and to provide fundamental guidance to ensure this integration is completed smoothly and rapidly.

2. Today, women are successfully performing a wide variety of duties many of which were considered solely in the male domain just a few years ago. A recently approved combat exclusion policy opened more specialties to women than ever before. However, equal training for men and women was only recently implemented. Consequently,

many women in the Army have not received all the training in soldier skills needed to perform their duties. Unit commanders must provide for these women additional individual training as required and ensure their full participation in unit training, field exercises and unit duties such as perimeter guard.

3. Qualified women now have the opportunity to serve in all but a few specific combat units and combat specialites. In availing themselves of that opportunity women, like their male counterparts, must accept the responsibility for sharing all risks and enduring all hardships inherent in their specialty. Some people believe that women soldiers will not be deployed in the event of hostilities; that they are only to be part-time soliders—here in peace, gone in war. Some women are being used in skills other than those for which they were trained and some are being excused from performance of unit duties. The Army cannot operate effectively in this manner. Women are an essential part of the force. They will deploy with their units and they will serve in the skills in which they have been trained.

4. Those of us in authority must reaffirm our conviction that women are an integral part of the Army. With this in mind, we must ensure that women are provided an equitable opportunity for assignment in their specialty, are given adequate training and are held responsible for the full range of duties prescribed for their assigned positions.

5. The first considerations in the assignment of women in the Army have been, and will continue to be, the mission of the Army itself, and the uniquely demanding nature of Army service in wartime. Within that context, women can make many important contributions; indeed, they are doing so now. The burden which rests on leaders at every level is to provide knowledgeable, understanding, affirmative and evenhanded leadership to all our soldiers.

Honorable Thomas P. O'Neill, Jr.
Speaker of the House of Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

This letter is provided by the Department of Defense in response to Section 303 of P.L. 95-79, which states:

> "For the purpose of promoting equality and expanding job opportunities for the female members of the Armed Forces, the Secretary of Defense shall within six months from the enactment of this section, submit to the Congress a definition of the term 'combat,' together with recommendations on expanding job classifications to which female members of the armed services may be assigned, and recommendations on any changes in law necessary to implement these recommendations."

Definition of Combat. The term "combat" refers to "engaging an enemy or being engaged by an enemy in armed conflict." Under current practices, a person is considered to be "in combat" when he or she is in a geographic area designated as a combat/hostile fire zone by the Secretary of Defense. Members of the armed forces, not in a designated combat/hostile fire zone, may be designated as being "in combat" by the Secretary of Defense based on specific circumstances and events. These definitions apply to men and women of all the services.

A servicemember in combat is authorized to receive combat/hostile fire pay and earn combat awards. Women have received hostile fire pay and combat awards in past conflicts. Women have served in combat in many skills during World War II, Korea, and Vietnam. Army nurses have served in combat for over a hundred years, although they and other medical personnel are considered noncombatants. Since the word "combat" has historically been used to include such a broad range of activities, the Department of Defense does not believe that the term provides a useful basis for expanding the opportunities for women in the service.

Expanding Opportunities for Female Members

Before 1970, less than 1% of the enlisted force was female. As shown on the attached table, this Administration is expanding the role of women. The Department of Defense plans to increase from 6% females in 1977 to 11% by 1983. Over 95% of military occupations are now open to women. The role of women probably has changed most in the Army, in part because there are no legal constraints. Almost 7% of Army enlisted personnel are women and that will increase to about 12% in 1983. Army unit commanders employ women to accomplish unit missions throughout the battlefield. The Army accepts the fact that women may be exposed to close combat as an inevitable consequence of their assignments, but does not now assign women to units where, as a part of their primary duties, they would regularly participate in close combat. Close combat involves engaging an enemy with individual or crew-served weapons while being exposed to direct enemy fire, a high probability of direct physical contact with the enemy's personnel, and a substantial risk of capture.

In the Army, women are now assigned to all units except infantry, armor, cannon field artillery, combat engineers, and low altitude air defense artillery units of battalion/squadron size or smaller and in all military occupational specialties except those concentrated in such units. For example, women are assigned to combat support and combat services support units in divisions, including maintenance battalions, communications battalions, brigade level headquarters, and certain artillery units.

Unlike the Army, the Navy and Air Force have legal constraints on assignment of women. The current law (10 U.S.C. 6015 and 8549) precludes women in the Navy and Air Force from being assigned duty in aircraft engaged in combat missions. In practical terms, 10 U.S.C. 6015 has the effect of excluding women from serving aboard Navy ships. A combat mission is a mission of a unit, ship, aircraft or task organization which has as one of its primary objectives to seek out, reconnoiter, or engage an enemy.

The Air Force has planned for continued expansion within the context of the current law. Women now comprise over 7% of the Air Force enlisted strength. The Air Force plans to increase that percentage to 15% by 1983, even under the current laws. Essentially, all military occupations in the Air Force are open to women except the aircrew positions restricted by the combat mission provisions of the law.

The Navy, however, is severely limited by current law. The Navy has increased assignments for women to the maximum extent practical within the constraints of current law. In the Navy, the restriction on shore positions associated with sea/shore rotation multiplies the impact of excluding women from service on ships. The Navy cannot increase female strength as projected in the attached table unless 10 U.S.C. 6015 is repealed or modified. At least some relief from 10 U.S.C. 6015 is needed this spring. Within Congressional relief, the Navy will provide female midshipmen summer training similar to the males, will begin to build a base of women in seagoing skills, and will further increase opportunities for women in occupations now open to women.

Legislation

Legislation is needed to modify the restrictions on assignment of women in the Navy and Air Force contained in 10 U.S.C. 6015 and 8549. The Department of Defense urges enactment of H.R. 7431, which would permit assignment of women in the Navy to hospital ships, transports, and vessels of a similar classification not expected to be assigned combat missions, and would permit women to be assigned to temporary duty on other vessels not engaged in combat missions. This legislation will provide for the immediate need of the Navy to accommodate the training requirements of women now attending the Naval Academy. The best long-term solution is to repeal both 10 U.S.C. 6015 and 8549. The Secretaries of the Military Departments should set policy for, monitor, and review the assignment of women within their respective departments.

The Secretary of Defense should review and approve the programs of the services and insure compatibility among the services. A legislative proposal to accomplish this long-term goal will be submitted by the Department to the Congress in the near future.

Sincerely,

GALLUP YOUTH SURVEY - June 21, 1978

By George Gallup, Copyright 1978, The Associated Press

American teen-agers of both sexes favor women serving with men in a variety of combat roles during wartime.

When the Gallup Youth Survey recently questioned a representative national cross-section of American teen-agers on their attitudes toward women in the military, it found that teens consider it appropriate for women in the Air Force to serve as combat pilots and for women in the Army or Marine Corps to fight as ground troops in combat units alongside men, in the case of war.

Nationally, fully two teen-agers out of every three (68 percent) express the view that women should be allowed to serve as combat pilots.

And while the margin of approval is smaller, a 53 percent majority of teens voice the opinion that women members of the ground forces should be permitted to serve in traditional foot-soldier's combat capacities.

What may surprise some adult observers is that on both issues involving female participation in presently all-male military functions, there is every bit as much support from teen-age girls as there is from boys.

As a case in point, the concept of women as combat pilots gets the nod from 70 percent of girls and 66 percent of boys. As for women soldiers fighting beside men in the front lines during war time, 51 percent of boys approve, while 56 percent of girls do so. (In each instance, the small differences between the two sets of figures are statistically insignificant).

On each of the two combat questions, there is also slightly more support for female participation in combat duties on the part of teen-agers from white-collar families and teens whose fathers had some college training.

Teen-agers living in the South are least receptive to combat functions for women—indeed, a 49 percent plurality in this region opposes women soldiers or marines serving in frontline units—the only group in which less than an outright majority supports this type of war-time service.

But while this finding might prompt some readers to conclude that chivalry is making a last ditch stand in the South, the differences in regional attitudes are not large enough to warrant such a conclusion.

In fact, when teen-agers are asked why women should not be permitted to serve in combat roles, the attitude that such activities are "unladylike" or not "genteel" is not mentioned at all, either in the South or anywhere else in the country.

Typical of the views of teen-agers who believe that a woman's place is not in the foxhole, even in time of war, are these comments of a 15-year-old boy:

> "Women generally do not have the strength and stamina of men and they would probably not be able to handle combat duties. In fact, they might even be more of a hindrance than an asset in some situations."

While there are quite a few different reasons underlying the majority opinion that women should be permitted to perform in combat positions, the most prevalent is illustrated by these remarks of a 15-year-old girl:

> "Women have the right and the responsibility to do what men do. In this country, there are plenty of strong, brave women who would be proud and happy to serve in the U.S.A."

The findings are based on telephone interviews with a representative national sample of 1,179 teen-agers, 13 to 18 years old, during the period February 24–March 6, 1978.

Following are the questions asked and the principal findings:

WOMEN AS COMBAT PILOTS

	Approve	Disapprove	No Opinion
NATIONWIDE	68%	28%	4%
Boys	66	30	4
Girls	70	26	4
Both Sexes			
13-15 years old	68	28	4
16-18 years old	68	28	4
White-collar family	71	25	4
Blue-collar family	67	28	5
Father's Education			
College or more	75	23	2
High school or less	66	29	5
East	70	27	3
Midwest	70	26	4
South	62	33	5
West	73	21	6

WOMEN IN COMBAT UNITS?

	Approve	Disapprove	No Opinion
NATIONWIDE	53%	43%	4%
Boys	51	45	4
Girls	56	40	4
Both Sexes			
13-15 years old	53	43	4
16-18 years old	54	42	4
White-collar family	57	39	4
Blue-collar family	50	46	4
Father's Education			
College or more	59	37	4
High school or less	51	45	4
East	56	41	3
Midwest	55	41	4
South	47	49	4
West	56	39	5

The potential use of women discussed on pages 15 through 22 and 31 through 46 has not been replicated. The basic data remains valid, with some possible exceptions. In the Navy and Marine Corps changes in the laws precluding the assignment of women to ships (10 USC 6015) would reduce positions closed to women for both combat

and rotation base reasons, and thus would increase the number of spaces in which women could serve. The change in Army policies admitting women to the battlefield area and opening additional skills to women would have similar impacts. The Air Force already had over three-quarters of their positions open to women, but policy changes opening missile sights and aircrew positions would increase those percentages even further.

In September 1978, the limit on the numbers of women in the military appears to be related to flow patterns and assimilation. Since there is very little lateral entry of either men or women in the military, balanced forces require that growth be spread over a span of years. The ultimate limit may become supply constrained. The Services are beginning to notice supply constraints in nontraditional skills. The Army recently reduced mental test scores from a 57 percentile to 50 percentile for women recruits in order to increase supply. A similar average score for men is 50 percentile and the minimum score for men is 11 percentile. These data indicate that total supply is not yet a serious constraint—but it soon may be in some of the skills that are unattractive to most women.

Comparative lost time for men and women is discussed on pages 27 and 28. The conclusion in the background paper was that lost time was about the same for men and women, although the reasons for the loss are very different. Pregnancy and female related medical care was by far the primary cause of lost time for women. Men showed no lost time in these categories, although there is time lost by men when their wives are pregnant, but it was not measurable. Lost time for disciplinary problems, unauthorized absence, desertion and alcohol and drug abuse all were dominated by men. The additional work on lost time since May 1977 is not very definitive, but does reenforce the conclusion of the background study that total lost time is not a factor of great distinction between men and women and should not be a deciding factor in the use of women in the military. The next paper in this appendix summarizes current lost time information.

The single military parent and both parents in the military are persisting and growing problems for both men and women in the military. The deployability problems discussed on page 28 of the background study remain unresolved. The number of single men with dependent children is much higher than the number of women, but the incidence rate is higher for women.

Comprehensive data on the problems are not readily available in DoD. The Services are grappling with the problems; but short of discharging all personnel in these catagories, there are no easy solutions. Some military leaders are strong proponents of the discharge solution, but many of the personnel in these categories are motivated and well trained personnel who could not be readily replaced. Also, the status of people tends to change with marriages, divorces, separations, illnesses, adoptions, children living with grandparents, spouses being discharged or enlisting, etc. Simplistic solutions are not appropriate, but solutions are necessary. Putting off the problems is not the answer. If not resolved beforehand, these problems could greatly complicate mobilization day actions. The problems will probably have to continue to be resolved by the on-scene commander in the field.

The background study to date indicates that our armed forces may be somewhat different with women, but no less effective.

Mr. TREEN: Thank you, Mr. Chairman. I have three questions.

First, to you, Mr. Secretary, regarding the draft, in the event that we have to return to involuntary conscription to meet our manpower needs, what are your views with regard to whether or not that would include women being drafted?

Secretary BROWN: My own view is that if conscription is restored, that it should include the registration of women, if it takes place. Whether or not women are to be conscripted, it seems to me, would have to await a further examination of what our assignment procedure would be. In other words, I am not prepared to express a view on

conscription of women because I think we first have to look at what the personnel needs will be under those circumstances. If there would be additional requirements for noncombat people, then I would have one answer. If the principal requirements in an emergency contingency would be for combat fillers, for example, then I would have a different kind of conclusion. So I don't want to express a flat conclusion either way.

I would say that if men are registered, women ought to be too.

Mr. TREEN: Thank you.

INFORMATION PAPER

DAPE-MPE-CS
26 Jul 77

SUBJECT: Brookings Institution Study: Women in the Military

Discussion:

1. Authors: Martin Binkin (senior fellow in Brookings Foreign Policy Studies program) and LTC Shirley Bach, USAF (was a Brookings Federal Executive Fellow in 1975–76).

2. Historical look reveals undefined women's role prior to World War II, creation of the women's branches of the armed services in 1942, accession of 350,000 women in four services, and a post war return to apathy and drastic decreases in numbers of female soldiers on active duty.

3. Expanding women's role in society in 1960s and 1970s, coupled with ending of draft, signaled possible increased utilization of women in the services.

4. Impact of Equal Rights Amendment, feminist litigation and ending of draft resulted in: substantial increase in number of women in the armed forces; changes in personnel policies regarding command, aviation training and military academies, pregnancy; entitlements and training opportunities; more job assignments; increased numbers in

nontraditional skills; and influence on the socioeconomic composition of enlisted ranks.

5. Army policy allows 676,000 total enlisted jobs (including pipeline), but only 55,000 are open to women due to combat exclusion, rotation base, and promotion and assignment equity. Army has not altered its goal of 50,400 enlisted and 9,000 officer females since 1972.

6. Military benefits (economic opportunities) are extremely attractive to females due to lower mean annual earnings expected in civilian market (compared to that for males). Consideration given to worth of military pay, job training and educational assistance, social opportunities and intangible military benefits.

7. Institutional attitudes (social, political, judicial, and military) which reflect a past pattern of male dominance, will determine women's role in armed forces. Public opinion, Congressional attitudes, judicial opinion and military attitudes indicate a general willingness to increase number of women in the military.

8. Cost analysis:

a. One-time adjustment costs hard to determine. Requires closer examination. (Examples of one-time adjustment costs are: constructing or modifying housing, redesigning clothing and equipment, and redesigning protective gear.)

b. Average annual per capita cost associated with housing, medical care and transportation is estimated to be $982 less for women than men.

c. Attrition rates are higher for women than men (depending on occupation) and could be more costly. Higher attrition rates resulted primarily from policies.

d. Absenteeism is higher for men due to alcohol abuse, drug use, AWOL, and desertion. When abortion and pregnancy are considered for women, men still have higher absenteeism rate (1.10 for males to 0.63 days lost as a % of total days available).

e. Cost summary: may be less expensive, on average, to sustain women in the military.

9. Military effectiveness is examined through individual performance (education, job aptitude, physical condition, experience, motivation, adaptability to change, and ability to get along), group performance, and image abroad. "A healthy measure of uncertainty remains about how greater female participation would affect all three." Ergo: impact on military effectiveness is unquantifiable, but needs to be tested.

10. Army could provide 175,000 female positions by opening noncombat jobs in units expected to operate outside the brigade area and reducing reserved billets for men; 285,000 female positions would exist if women were only restricted from combat specialties and assigned to noncombat specialties in all units.

11. Apparent central issue of study: Army is not integrating women at a fast enough pace.

12. Army position is that before any valid decisions can be made on female strength levels, the impact of increases above the 59,400 (50,400 enlisted and 9,000 officer) level on the ground combat mission and readiness must be known. A massive effort is underway to collect and analyze data upon which the appropriate female strength can be determined while maintaining force readiness and cost effectiveness for the Army. Specifically, data concerning strength and physical standards by MOS, combat exclusion, performance of women in MOS, deployability and comparative performance (to be addressed by REFWAC 77 scheduled for Aug-Oct 77 with final results due to DA on 1 Mar 78), attrition, maximum female content, model modifications, and cost of increased female strength levels will be available in Mar 78 for Army FY 80-84 POM decisions.

13. Coordinated with ASA (M&RA).

DEPARTMENT OF THE ARMY
Office of the Deputy Chief of Staff for Personnel
WASHINGTON, D.C. 20301

30 SEP 19

DAPE-MPE-CS

MEMORANDUM THRU CHIEF OF STAFF, US ARMY
ASSISTANT SECRETARYOF THE ARMY (M&RA)

FOR SECRETARY OF THE ARMY

SUBJECT: Combat Exclusion Definition for Women—DECISION MEMORANDUM

Purpose: To obtain the Secretary of the Army's approval of the combat exclusion definition for women.

Discussion:

1. The DCSPER was directed by the DAS to develop a new, clear, simple definition of the combat role from which women will be excluded. The definition is to clearly reflect the level to which the exclusion applies and to avoid limitations due to geography or strength requirements.

2. As a point of departure, MACOMs and the staff were requested to propose a definition using the one in the message at TAB A as a starter, to indicate the level to which the exclusion applied. Essentially, there was no major departure from the one proposed by ODCSPER, except for INSCOM (Intelligence and Security Command) which recommends exclusion based on MOS. The level to which the exclusion is to apply was not specifically addressed by some MACOMs, others relied on the definition for this purpose, with the remainder generally indicating a preference for exclusion as brigade, battalion, and lower levels. The definition has been modified from that in the message to further clarify its meaning and eliminate the need to specifically name each type unit in the force structure.

3. The following definition is proposed:

Women are authorized to serve in specialties/MCS open to them at all organizational levels and within all units of the Army except:

—battalion and lower level combat maneuver units whose mission is to close with and destroy the enemy.

4. In arriving at the proposed definition, consideration was given to developing the exclusion in terms of combat related functions (e.g., crewing and operating weapon systems); or combat units with their stated or implied tasks (e.g., closing with, engaging, destroying, neutralizing and/or capturing an enemy by fire or fire and maneuver); or a combination of the two. It is believed the clearest approach is to use the combat maneuver units and the others indicated for communicating intent and as a basis for the exclusion. The definition reflects this, and also relies on the present interpretive system that identifies specialties and MOS open and closed to women in applicable Army regulations.

a. Field artillery cannon (105mm; 155mm; 175mm and 8-inch) and low to medium altitude air defense artillery battalions (CHAPARRAL/VULCAN and HAWK) are included in the definition because of the close combat support provided to the maneuver units or the potential need to meet this requirement.

b. That part of the definition concerning "units not specified . . ." would apply to units such airborne and airmobile forces, the combat engineers, special forces, and selected aviation organizations such as attack helicopter companies.

5. Examples of units or headquarters that would be newly opened to women are field artillery missile battalions (LANCE and PERSHING), target acquisition batteries, high altitude air defense artillery battalions (NIKE HERCULES) and field artillery group and division artillery headquarters.

6. To support the broader definition it is envisioned that the present system of identifying units by category would be expanded by dividing Category 1 units into Category 1A (Male only) and Category 1B (Interchangeable). Approval authority for the designation would remain at DA.

7. The DOD Appropriations Authorizations Act, 1978 (approved on 30 July 1977) allows the DOD six months to

define the term "combat" for the purpose of assigning women to military positions. Upon your approval, the definition in paragraph 3 will be the basis for the Army's input to OSD.

8. This paper has been coordinated with DASA (M&RA), who desires to add the following: "battalion and lower level field artillery cannon and low to medium altitude air defense artillery units, *except for headquarters and service batteries*." The added phrase should be examined in the ADMINCEN evaluation now underway, but is considered premature and preemptive at this time. Accordingly, it is not included in this recommended definition.

Recommendation: The Secretary of the Army approve the proposed combat exclusion definition for women.

/s/ _____
JOSEPH P. KINGSTON
Major General,
Assistant Deputy Chief
of Staff for Personnel

1 Incl
as

SPECIAL REPORT S-7

WOMEN CONTENT IN THE ARMY—REFORGER 77 (REF-WAC 77)

Cecil D. Johnson, Bertha H. Cory, Roberta W. Day, Laurel W. Oliver, et al.

CAREER DEVELOPMENT SOLDIER PRODUCTIVITY TECHNICAL AREA

U.S. ARMY RESEARCH INSTITUTE FOR THE BEHAVIORAL AND SOCIAL SCIENCES
5001 Eisenhower Avenue, Alexandria, Virginia 22333

Office, Deputy Chief of Staff for Personnel
Department of the Army

30 May 1978

PREFACE

The behavioral science research effort reported here was undertaken to contribute information for use along with that from several research investigations and other sources in determining Army long-range policy bearing on the number and utilization of women in the Army. This research is in consonance with the Army five-year research plan for exploring the role of women in the Army.

The MAX WAC research showed that the number of women (up to 35%) had no significant effect on the operational capability of specific Category II and III company-size units as measured by 72-hour Army Training and Evaluation Programs (ARTEP). Extrapolation of results (assuming no impairment for an enlisted woman content of 35%) to units of the type included in MAX WAC showed that the Army could accept up to 6,000 more enlisted women than in the then-current assignment planning. The REF WAC results indicate no impairment of performance in Category II and III units having women in an extended field exercise. These results thus enhance the credibility of the no-impairment finding of MAX WAC.

Neither the MAX WAC nor REF WAC research efforts was intended to provide an empirical basis for objectively establishing an upper bound on the potential number of women in support units. Both efforts have had their primary focus on the validation of TRADOC unit limits for women.

Both the MAX WAC and REF WAC investigations have provided the Army with additional data (observations, questionnaire responses, and, for REF WAC, supervisory ratings) for insights into the evaluation of the role of women. Two major conclusions must be considered by policymakers:

a. Contrary to opinions of many who extrapolated from their experience in combat and extended field exercises (that did not include observations of women), women did sustain themselves in the field and accomplish MOS-related duties at an acceptable level. The command channel, from NCO's through unit commanders, showed a high degree of creativity and flexibility in utilizing women in the field. Additional training and indoctrination are still needed for enlisted women, their male peers, and their supervisors.

b. A consensus exists among unit supervisors that several factors should be considered in assigning women to teams: the proportion of women in the MOS and teams, the strength requirements of tasks, and the need to function in the midst of combat brigades as members of special teams. Such considerations could place further constraints on the numbers of women assignable to units, over and above those limitations that are imposed by closing some MOS to women.

(4) In the limited sample base of 229 women in the four CONUS and three USAREUR battalions selected for observation in the exercise area, 38 percent of these women were employed in such traditional roles as clerks and cooks.

3. FINDINGS AND CONCLUSIONS

Despite the limiting factors described above, the REF WAC Test Directorate staff recorded over 1800 observations of female performance as individuals and members of teams or sections before and during REFORGER 77 and Exercise CARBON EDGE. After-action reports, post-exercise questionnaires, and final critiques indicated that REFORGER 77 did in fact provide a viable means of assessing the impact of women on units operating in a protracted field environment. The significant findings and conclusions deal with:

a. *Impact on Unit Effectiveness.*

(1) Findings.

Women were observed performing in a wide cross section of Army combat support and combat service support units at the division and corps level. The branches and/or specialty areas covered were maintenance, medical, military police, signal, and supply and transportation. It was determined that the women had little or no adverse impact on the performance of their units. In a general sense, the women observed were contributors having a favorable impact on unit performance.

The following incidents, which far outnumbered derogatory ones, clearly demonstrate the contribution to unit effectiveness made by the conscientious, hard-working, and well-motivated female soldier:

(a) An enlisted woman was released from convalescent leave following major surgery. She was going to be left behind at Fort Riley but insisted on participating in REFORGER. Her performance was outstanding during the exercise.

(b) Two somewhat irresponsible male MP partners were split up by the supervisor. The supervisor paired one enlisted male with an enlisted woman, observing that the woman would "straighten him out."

(c) Two enlisted men told a REF WAC 77 observer that if they had to choose a partner, they would just as

soon pick the new enlisted woman, who had a reputation as a good worker.

(d) A female MP on the third day of the exercise required minor surgery for an infected finger. She expressed the desire to remain in the field, and was able to return to duty and continue her good performance.

(e) A female MP was performing duty at a traffic control point when she experienced a severe toothache. She was given emergency dental treatment and chose to return to duty rather than stay quartered in her billet.

(f) On the eighth day of the exercise, an enlisted woman went on sick call with the diagnosis of pneumonia. She had been working long and irregular hours with less than adequate sleep.

Some unit policies, which were preferential in nature and on the surface appeared to be helpful to women, did not promote participation of women in unit activities. These policies tended to alienate men who perceived assignment based on sex as favoritism toward women. The following critical example clearly identifies this mismanagement of resources: A REF WAC 77 observer noted that women in the ambulance platoon of a medical company were unemployed or assigned trivial tasks. When queried, the company commander stated that women were not being employed in the MTOE positions because the units being supported refused to have women in the forward area. The male members of the platoon had to "take up the slack" for these nonparticipants. Nonemployment of women in forward areas was a common but erroneously based policy. Commanders widely believed that Department of the Army policy prohibits the use of women forward of brigade rear boundaries. A policy that precludes women from performing their assigned duties adversely impacts on mission accomplishment.

A major deterrent to determining female impact on unit effectiveness was that frequently there were only a few women to observe; the number of women in units ranged from one or two individuals to, at most, 10 percent of a unit's strength. Despite this small sample, observers were

in agreement that the units observed could absorb women as 15 to 25 percent of their strength with no detraction from mission accomplishment. In establishing the level of male/female mix in a given unit type, the primary criterion was analysis of the unit's missions to determine the quantity and extent of tasks the unit must perform that required physical strength. Women's general lack of upper torso physical strength is the principal limiting factor in their performance of duty in the field and has a direct relation to female numbers and duties assigned to any given unit.

(2) Conclusions.

The assignment of women to a unit had no effect on the capability of the unit to fulfill its mission except in those instances where physical strength was a factor. Unit missions must be analyzed to determine the extent of physical strength required to fulfill those jobs and the male/female mix in the unit established accordingly.

b. *Training for Tactical and Sustainment Tasks in the Field.*

(1) Findings.

Women demonstrated a general lack of training for and knowledge of life in the field and of tactical operations. This lack of training and knowledge is detrimental to unit suvivability in a combat environment. Further, it places an added burden on and causes morale problems among male members of the unit who must take up the slack in any situation where females do not carry their fair share of the load. Under current methods of warfare, no unit is completely safe from ground attack no matter how far removed from the main battle area. Enemy guerilla bands operate in the rear areas seeking opportunities to disrupt the logistics chain. As a result, every unit, combat or combat support/combat service support, must be capable of establishing a strong perimeter defense and be prepared to withstand a full-scale attack, particularly during hours of darkness. Women must be prepared to fight in these situa-

tions, operate individual and crew-served weapons effectively, as well as being able to pitch tents, dig latrines, and stand guard duty if they are to carry their fair share of the load. Failure to perform these tasks during REF WAC 77 was not always due to lack of ability. Many women made an effort to acquire the knowledge they needed. However, either the common tendency of men to be protective or male nonacceptance of females often thwarted their efforts to learn. In units where commanders insisted that each individual, man and woman, carry a full share of the load in common tasks, the quality of unit performance was much higher than in units where women were protected or ignored.

The following incidents clearly identify the need for more intensive training for women in basic field duties and tactical skills.

(a) One commander expressed surprise to a REF WAC 77 observer that his supervisors had to spend so much time assisting women in field sustainment tasks. Prior to REFORGER, this commander was positive that women were a total asset to the Army. Viewing their performance, he felt that they were satisfactory in MOS-related areas in the field, but they were little help in setting up tents, camouflage, stoves, performing guard duty at night, staying warm, and keeping their living areas clean.

(b) While in the unit assembly area prior to the start of the tactical exercise, a REF WAC 77 observer asked 14 women if they would fight in combat. This informal survey resulted in 4 positive responses and 10 negative replies. The women appeared mentally to separate their performance in technical specialties from any notion of combat. They viewed their work as specialists in the Army as having no connection with combat.

(c) On the eighth day of the exercise at 0330 hours a communications center vehicle ran out of fuel during an alert. An enlisted woman stated she was afraid to go out and get fuel because of aggressor action. As a result, no communications existed for one hour.

(d) Four women made up a tent-pitching detail. Two of them got into a heated argument on how to pitch the tent. The argument lasted for some time prior to proceeding with the mission, indicating these women had not been trained properly in tent-pitching techniques.

(2) Conclusions.

Women need more instruction in coping with and participating in life in the field, to include tactical operations. Women's basic, advanced, and unit training must include the same preparatory training for life in the field that men receive. Additionally, both men and women, officer and enlisted, must be thoroughly indoctrinated from the start that all unit personnel, male and female, will share the load in the fulfillment of the common unit tasks.

c. *MOS Proficiency.*

(1) Findings.

Women were found highly proficient in the accomplishment of MOS tasks in both traditional and nontraditional roles. Women were highly motivated and their skills were as good or better than the males'. The one shortcoming that existed for women in MOS performance occurred in those tasks that required considerable physical strength. Even with this special selection criterion in mind, NCO data collectors identified only eight MOS's that were not recommended for women. One MOS, infantryman, is not authorized for women. Another MOS, military policeman, was not recommended for the reason that women do not possess the knowledge, experience, and training to perform tactical missions—a deficiency that can be overcome through proper training. Other MOS and tasks that the NCO data collectors on the evaluation teams believed could not be performed fully by women are as follows: 63H (tank automotive repairman); 64C (driver); 76W (petroleum supply specialist), 76X (subsistence supply specialist), 91B (medical specialist); and 94B (cook). For all of these MOS, the same basic reason was cited—women do not possess the physical strength/stamina to meet all of the physical requirements of the duties inherent in the

MOS. Test Directorate assessments of female capability in all MOS found in the units observed in REF WAC 77 are found in Table B-18 Appendix B. These assessments are based on all data available to the Test Directorate as of November, 1977.

(2) Conclusions.

Women are capable of rendering a proficient performance in any combat support/combat service support unit MOS not requiring a large measure of physical strength. An evaluation of each MOS from this standpoint is in order, to establish the minimal physical requirements necessary and preclude assignment of such an MOS to women (and men) who do not meet these minimum standards.

d. *Stamina and Endurance.*

(1) Findings.

Analysis of performance data indicated there was little difference in the level of performance of women versus men when measured over a period of some duration. An analysis of male and female individual performance was made in terms of improving and declining trends. Female levels compared very favorably with male levels in all cases. It appeared that women could match the stamina and endurance and maintain performance standards equal to those of men in the field. Furthermore, although given poor preparation for field duty, women did learn to adapt to their new environment. The only area in which they faltered was in performing tasks that demanded upper torso physical strength that they did not possess.

(2) Conclusion.

Women possess the required levels of stamina and endurance to sustain them through an extended field operation.

e. *Leadership and Management.*

(1) Findings.

Leadership and management problems were widespread among the units observed and appear to be the underlying

cause of most problems involving women in the Army. Many units either had policies that were protective of women or ignored women; either case was often passively accepted by the women. One REF WAC 77 team chief made the following statement that illustrates the magnitude of the leadership problem: "It was evident during the evaluation period that there is a lack of ability in the company grade officer and NCO ranks to lead effectively or motivate females operating in a sustained field environment. This stems from two factors, first, a lack of clearly defined instructions on their employment and, second, a lack of training in techniques and methods of motivating the female soldier." This mismanagement resulted in low morale in the units in which it occurred, and thus in a mediocre unit performance. Also, it created unrest among the male members of the unit who were required to perform extended periods of duty to fill in where the women were either excused or not employed. The practice of either ignoring women or protecting them, demonstrated frequently by first-line supervisors during REF WAC 77, is indicated by the following incidents.

(a) While a mess vehicle was being loaded, two female cooks sat idly in a tent because they were not assigned any duties.

(b) One women was released from hospitalization on 3 September and was not picked up by her unit until 7 September.

(c) During a unit alert, off-duty women sleeping in a separate tent were not called to defend the perimeter.

(d) A woman stated that women often sleep through guard duty tours with no repercussions and often they were not informed of the duty.

(e) A woman requested assistance from her supervisor in setting up a shelter half. The supervisor did not respond in any manner, but merely walked away.

(f) Four women sat in a tent upon arrival in a new area, not assisting anywhere because they were told they were in the way.

(g) One supervisor stated that the women on his team and other teams refused to change or service generators at night because they were afraid of the dark. As a result, the men on the various teams had to do the work that the women refused to perform, thus creating low morale among the men. The supervisor overcame the obstacle by accommodation, rather than by analyzing the problem, demonstrating his need for training in the management of women. The units in which all personnel, male and female, were required to carry the same load demonstrated much higher levels of unit performance, morale, and esprit.

(2) Conclusions.

Army leadership training must be expanded to include the methods and techniques for motivating the female soldier. Leaders at all levels in the chain of command must be taught that women in the Army are an integral part of the team and they are expected to carry out all duties commensurate with their rank and job assignment. Instruction in this important facet of leadership is appropriate for service schools, training centers, and unit officer and NCO classes.

f. *Bias Against Women.*

(1) Findings.

Descending the chain of command from battalion level to that of immediate supervisor, opposition to women in the unit increased. Generally speaking, senior officers, who were farthest removed from the problem, fully accepted women, junior officers appeared indifferent to the problem, and "old soldier" NCO's were openly opposed in word and action. Although NCO's generally admitted that women can perform well in their tasks, most NCO's just do not want them around. This NCO attitude is clearly evidenced in these incidents that occurred during REF WAC 77.

(a) During the course of the field exercise, a female soldier's ability to read a map was challenged by an equal-ranking male. The female had demonstrated satisfactory ability to read a map on two previous occasions as the senior individual in a vehicle. In both instances, she

reached her destination in an acceptable manner. On this mission, the male insisted she was in error. As a result the mission failed due to excessive time as the male repeatedly read the map incorrectly. This man was convinced in his bias against females in nontraditional roles that a woman could not possibly read a map.

(b) A platoon sergeant instructed a male sergeant to assist some women in taking down their tent. The sergeant responded by pulling up tent pegs while the women were still in the tent, until he was told to stop and let the women do the work themselves. The sergeant saw this as an ideal opportunity to harass an "undesirable" element (women) in the unit. This one incident probably best documents the real crux of resistance to female integration in the Army. The sergeant was following an order, and he simply did not want women in "his" Army. Female competence was not at issue.

(c) During the course of the exercise, a supervisor related to a REF WAC 77 observer an incident that occurred the previous day. A female enlisted member dropped an engine, pinning her leg, and the supervisor with some disgust had to run to her aid. He felt he was a babysitter and was convinced that women cannot perform adequately with heavy equipment. He also expressed the opinion that this woman would be no better working in an office. His mind had been made up that women are a bother in "his" Army.

(2) Conclusions.

Strong opposition exists at company level and below to the assignment of women to combat support/combat service support units. An Army-wide education program is required that stresses management and employment of women in a positive theme, which underscores the value and importance of women in the Army.

g. *Field Clothing for Women.*

(1) Findings.

Over 100 female service members were interviewed during REFORGER and questioned on the suitability of

female clothing and equipment. None of the women interviewed felt the clothing and organizational field equipment issued to women were adequate for field duty. The chief complaints were that fatigues were not wash-and-wear, were too lightweight to provide adequate warmth, and were ill-fitting. Women's field jackets provided little warmth in 30° temperatures and were discarded in favor of men's field jackets. The women also used male overshoes since there was an inadequate supply of female overshoes. The structure of women's combat boots was not sturdy enough to withstand the rigors of an extended period in the field. The web gear and load-bearing equipment were not designed for the weight-bearing capabilities of women. The suspenders of the load-bearing equipment placed pressure directly on the breast and exerted an abnormal amount of pull across the shoulders and neck. The equipment was very uncomfortable to women especially when used over an extended period of time in the field. Also, gloves and field jacket liners were not made in sizes small enough for women. A shortage of these items had an adverse impact on the comfort, appearance, and morale of female service members.

(2) Conclusion.

A requirement exists for the development of field clothing and equipment for women that can provide them the needed protection and comfort for an extended period of field duty.

h. *Female Field Health and Sanitation.*

(1) Findings.

Health and sanitation provided for women during REF WAC 77 proved inadequate. The great distance and infrequency of visits to shower points were a source of major complaint among the women. They found helmet baths unsatisfactory and voiced a desire for more frequent trips to the shower point. This requirement for frequent showering received support from the medical observers who verified that, gynecologically speaking, a woman has a greater need for more frequent attention to body cleanli-

ness than a man. For similar reasons, pit type latrines were not satisfactory for women, who sought other sources for relief. They expressed the added concern of possible assault while visiting a darkened latrine site some distance from their billet, although no such attack was ever reported. It was also noted during REF WAC 77 that field medical facilities were not equipped to attend to female-related disorders as evidenced by the following medical shortfalls:

(a) No obstetrician-gynecologist was available within the 1st Infantry Division, nor was one authorized.

(b) Initial planning failed to include particular female medications in the basic drug list.

(c) No vaginal speculums were available within the Division medical elements.

(d) No examination tables with stirrups were available for examining women, nor did the combat support hospital have examining tables equipped with stirrups.

The above list does not identify the full extent of the problems associated with the health care requirements of a large number of women on extended field duty. It does, however, indicate a problem exists that requires special consideration. Since this medical capability was lacking, female-oriented medical problems were necessarily referred to a base hospital some distance from the maneuver site.

(2) Conclusions.

Requirements exist for the development of field health and sanitation policies and procedures and for the provision of field medical facilities, drugs, instruments, and personnel that more adequately respond to the special health care requirements of women.

i. *Female Leadership.*

(1) Findings.

The number of female leaders, officer and NCO, participating in REF WAC 77, was so small that fully supportive findings could not be made. Observers did note

isolated incidents in which female leaders either had no concept of how to exercise their authority, or abused that authority. Female leaders were also noted to be lacking in tactical training. Additionally, there were occasions when women experienced difficulty in gaining acceptance as leaders. Their authority was ignored by men who would not accept women regardless of their demonstrated competence. The following incidents exemplify the above:

(a) A female platoon leader constantly exhibited poor leadership and contributed to or was the cause of low morale in her platoon. She could not or would not control her attitude toward the Army or her people in their presence. She demonstrated little respect for her enlisted personnel and gave little guidance to her NCO's. As a result, missions were performed without enthusiasm and morale was low.

(b) A male automotive warrant officer indicated to a REF WAC 77 observer that female NCO's "may not be able to handle the troops." This warrant officer's comment was purely speculative for there were no female NCO's in his technical field at the time, and he had no previous experience with female leaders. This lack of confidence in women expressed by this individual is indicative of male bias against female leadership in a nontraditional area.

(2) Conclusion.

The above observations provide further support for the requirement for improved tactical and leadership training for women as well as an Army-wide education program in support of women in the Army.

j. *Female Migrations from Nontraditional Specialties.*

(1) Findings.

Of the 229 women participating in REFORGER, 49 were working in an MOS other than their own. Of these, 17 had migrated from a nontraditional MOS to traditional specialities, while three had shifted from traditional to nontraditional specialities. Two women with nontraditional MOS were serving in other nontraditional MOS. The re-

maining 27, trained in traditional MOS, had migrated to other traditional MOS.

(2) Conclusions.

Slightly over seven percent (7.4%) of the females participating in REFORGER had migrated from nontraditional to traditional assignments.

k. *Female Content in Units.*

(1) Findings.

(a) Information was obtained from 108 first-line supervisors, 60 unit leaders, 25 observer team members, and 19 NCO data collectors. Their recommendations were taken on proportions of women to be utilized in the combat support/combat service support units under observation. This information concerned male-female ratios by MOS, team, section, platoon, and company. The information reflected both command policies and individual biases in real units in the REFORGER situation, leading to wide variations among the separate units. Illustrations of these variations are found in the reports of the chiefs of the signal and transportation teams. The signal team chief recommended, based on female strength limitation and current tactical proficiency, that no women be assigned to signal letter companies. The transportation team chief recommended, at the other end of the spectrum, the assignment of women in percentages up to 50 percent.

(b) The REF WAC Test Directorate subjectively analyzed this information in the context of observations on REFORGER, taking into consideration tactical and sustainment requirements, to develop recommended upper limits for female content in the observed units. Observations and considerations in deriving these upper limits include:

(*1*) The current level of tactical training among women observed on REFORGER was well below that of men.

(*2*) Companies with a high female density would encounter difficulties in operations such as perimeter de-

fense, reaction force, local patrolling, rear area protection (MP units) and interior guard.

(*3*) The primary rationale used in arriving at recommendations on female content in units is unit proximity to probable combat areas. Units operating in the division rear area could, under this concept, accept a higher female density than a unit operating habitually forward of the brigade rear boundary. An additional consideration was given to the factor of sustainment.

(*4*) Unit sustainment tasks requiring team efforts in heavy lifting, digging, or hauling over an extended period of time could have an adverse effect on a company with a high female density.

(2) Conclusions.

The REF WAC 77 Test Directorate recommends that the upper limit of female content in the subject combat support/combat service support units be as follows:

UNIT	AUTHORIZED STRENGTH	MAXIMUM FEMALE CONTENT	PERCENT
Maintenance Battalion (MTOE 29-26)			
Headquarters and Light Company	113	29	25
B Company	211	53	25
C Company	173	26	15
Medical Battalion (MTOE 8-37)			
Headquarters and A Company	138	35	25
C Company	76	19	25
Military Police Company (MTOE 19-37H)			
MP Company	166	26	15

UNIT	AUTHORIZED STRENGTH	MAXIMUM FEMALE CONTENT	PERCENT
Signal Battalion (MTOE 11-37)			
HHC	96	24	25
A Company	204	51	25
B Company	123	18	15
C Company	153	38	25
Transportation Battalion (MTOE 29-65H)			
HHC	49	12	25
A Company	140	35	15
B Company	183	46	15

4. FUTURE REQUIREMENTS.

a. *REFORGER 1978.*

(1) The military observers for REF WAC 77 do not recommend a repeat of the experiment for REFORGER 78. It is their belief that sufficient data were obtained during REFORGER 77 to offset the requirement for similar testing in 1978. There would be justification for repeating the experiment in 1978 if positive corrective action were taken on all the REF WAC 77 findings, e.g., female clothing, sanitation, health care, improved training of EW before the scheduled date of REFORGER 78, permitting the testing of innovations effected by this corrective action. If the corrective action is not accomplished by the date for REFORGER 78, then further tests certainly should be conducted at some future date to determine the effects, good or bad, of the corrective action taken based on the results of REF WAC 77.

(2) If the experiment is repeated in 1978, and maximum benefit is to be gained, it is imperative that the test sample of women be greatly increased in number. Also observers must have detailed advance knowledge of the scenario for the organization under study so they can plan for optimum coverage of the female participation.

(3) Recommended changes include:

(a) Predetermined AIT graduate fills of both male and female soldiers in exercise units.

(b) Organization, stabilization and pre-exercise training.

(c) Controlled deployment.

(d) Insertion of exercise-compatible scoring events on a limited basis.

STATEMENT OF
HARRISON WELLFORD
EXECUTIVE ASSOCIATE DIRECTOR,
OFFICE OF MANAGEMENT AND BUDGET
AND
DR. BERNARD D. ROSTKER
DIRECTOR, SELECTIVE SERVICE SYSTEM
AND
MR. RICHARD DANZIG
PRINCIPAL DEPUTY ASSISTANT SECRETARY
OF DEFENSE
(MANPOWER, RESERVE AFFAIRS
AND LOGISTICS)
BEFORE
SENATE ARMED SERVICES COMMITTEE
SUBCOMMITTEE ON MANPOWER
AND PERSONNEL
FOR RELEASE AT 2:00 p.m.
WEDNESDAY, MARCH 19, 1980

The President's request for authority to register young women recognizes the reality that women are already providing all types of skills in every profession, including the military. The President's position is clear. It is consistent with the Administration's positions on equal rights for women and with the principle of fairness in imposing obligations on our citizens. However, we recognize that the registration of women is a controversial issue for many of our citizens. But sooner or later, this issue must be addressed. Just as with the overall issue of premobilization registration, we feel that it is more prudent and less disruptive to ask Congress to deal with it now—in a period of normalcy—than in the confusing time of mobilization in a national emergency.

The fact that women can perform effective service in the military is strongly supported by their record in past wars and in the peacetime armed forces. While often unrecog-

nized, women have played an important role in the defense of the Nation in previous wars. For example:

- In World War I, they served as Army nurses and telephone operators.
- In World War II, Navy and Coast Guard women served as nurses, mechanics, truck drivers, parachute riggers, air traffic controllers and typists. Women landed on the beaches of Normandy and served in the South Pacific, North Africa and during the invasion of Italy.
- In Vietnam, more than 7,000 women served in support roles which qualified for combat pay.

There are now 150,000 women serving successfully in the active Armed Services today and by 1985, it is estimated that there will be approximately 250,000 women in the Armed Forces. The Reserve Forces now have about 60,000 women serving with about 100,000 projected by 1985. Women in the military today participate in a vast array of occupations. Large numbers of military women work in occupations such as electronics, communications, navigation, radar repair, jet engine maintenance, drafting, surveying, ordnance, transportation and weather analysis. The work women in the Armed Forces do today is essential to the readiness and capability of the forces.

In the last few years, women have moved successfully into new fields in all branches of the services. In the Armed Forces today, 46% of all enlisted women are in non-traditional jobs. In the Air Force for example, there are 4 women generals, 31 pilots, 12 navigators, and 29 women in missile sites. They are serving virtually worldwide—including remote sites in Alaska and troubled areas such as Korea. Some 20,000 or 35% of Air Force women serve in non-traditional jobs, many of these directly related to the care and maintenance of the fighter aircraft and missile operations. They are vital to the readiness of the Air Force. The experience with the All-Volunteer Force shows women performing well in a wide variety of jobs; being promoted as soon as men on the average; hav-

ing higher test score averages and rates of high school completion.

Finally, we would emphasize that although the equity argument is important, it does not lead to the conclusion that men and women should be inducted in equal numbers. Equity is achieved when both men and women are asked to serve in proportion to the ability of the Armed Forces to use them effectively. The Administration's firm policy is that women will not be assigned to units in which close combat would be part of their duties. At the time of mobilization, the criterion of military efficiency will determine how many women will be used. The rate of induction for women as well as men will be determined by military need.

We believe that the Military Selective Service Act should be amended to provide authority to register women as well as men and we urge your support of this important element of Selective Service Revitalization.

REGISTRATION OF WOMEN

Statement of
Robert B. Pirie
Assistant Secretary of Defense
(Manpower, Reserve Affairs and Logistics)
and
Dr. Bernard Rostker
Director, Selective Service System

Before

The Subcommittee on Military Personnel
Committee on Armed Services
House of Representatives

March 5, 1980

INTRODUCTION

Mr. Chairman, Members of the Committee, it is a pleasure for Dr. Rostker and me to appear before you to report on the President's recommendation that women should be included in the draft registration process.

The Defense Authorization Act for FY 1980 called for the President to send Congress a plan for the reform of the Selective Service System. The Congress asked for a review of ten issues. One of those issues was whether women should be subject to registration and induction for training and service under the Military Selective Service Act. In his response to the Congress, the President announced that he has decided to seek the same statutory authority in regard to women as is now the case for men: authority to register, classify and examine women for service in the Armed Forces.

BACKGROUND

There are 150,000 women serving successfully in the active Armed Services today and by 1985, it is estimated that there will be approximately 250,000 women in the Armed Forces. The Reserve Forces now have about

60,000 women serving with projections of about 100,000 by 1985. Women in the military today participate in a vast array of occupations. About 60,000 enlisted women hold jobs in historically non-traditional occupations. Large numbers of military women work in occupations such as electronics, communications, navigation, radar repair, jet engine mechanics, drafting, surveying, ordnance, transportation and meteorology and do so very effectively, as has been shown by numerous DOD studies and tests. The work women in the Armed Forces do today is essential to the readiness and the capability of the forces. In case of war that would still be true, and the number of women doing similar work would inevitably expand beyond our peacetime number of one quarter million.

Women have traditionally held the vast majority of jobs in fields such as administrative/clerical and health care/medical. An advantage of registration for women is that a pool of trained personnel in these traditionally female jobs would exist in the event that sufficient volunteers were not available. It would make far greater sense to include women in a draft call and thereby gain many of these skills than to draft only males who would not only require training in these fields but would be drafted for employment in jobs traditionally held by females. A further advantage would be to release males currently holding non-combatant jobs for reassignment to combat jobs.

THE MILITARY REQUIREMENT FOR DRAFTING WOMEN

It is doubtful that a female draft can be justified on the argument that wartime personnel requirements cannot be met without them. The pool of draft eligible men (ages 18 to 26) is sufficiently large to meet projected wartime requirements. Furthermore, men, unlike women, can be assigned to any military position, including close combat jobs.

However, women can be used in large numbers in the peacetime and wartime force. The maximum number of

women that can be used is subject to three constraints: (1) legislative prohibitions against the use of women in certain military positions, (2) the policy to reserve certain assignments, such as ground combat roles, for men only, and (3) the need to reserve a substantial number of non-combat positions for men in order to provide a pool of ready replacements for ground combat positions.

A change in the Selective Service Act to permit the registration and induction of women would not necessarily mean that significant numbers of women would be drafted. If women were subject to the draft, the Department of Defense would determine the maximum number of women that could be used in the Armed Forces, subject to existing constraints and the needs of the Military Services to provide close combat fillers and replacements quickly. We estimate that this might require at least 80,000 additional women over the first six months. If there were not enough women volunteers, a separate draft call for women would be issued.

EQUITY

The President's decision to ask for authority to register women is based on equity. It is a recognition of the reality that both men and women are working members of our society. It confirms what is already obvious throughout our society—that women are now providing all types of skills in every profession. The military is no exception. Since women have proven that they can serve successfully as volunteers in the Armed Forces, equity suggests that they be liable to serve as draftees if conscription is reinstated.

Although the equity argument is important, it does not lead to the conclusion that men and women should be inducted in equal numbers. Equity is achieved when both men and women are asked to serve in proportion to the ability of the Armed Forces to use them effectively. Therefore, the Administration believes that the Military Selective Service Act should be amended to provide authority to register women as well as men.

It is in the interest of national security that, in an emergency requriing the conscription for military service of the nation's youth, the best qualified people for a wide variety of tasks in our Armed Forces be available. The performance of women in our Armed Forces today strongly supports the conclusion that many of the best qualified people for some military jobs in the 18–26 age category will be women. The Administration strongly believes they should be available for service in the jobs they can do, just as men will be available for jobs they can do.

HOUSE OF REPRESENTATIVES

STENOGRAPHIC TRANSCRIPT

OF

HEARINGS

BEFORE THE

COMMITTEE ON ARMED SERVICES

Subcommittee on Military Personnel

.....

..... NATIONAL SERVICE .....

IN THE MATTER OF ..... LEGISLATION .....

DATE ..... Wednesday, March 5, 1980 .....

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[1] HEARINGS ON NATIONAL SERVICE LEGISLATION

WEDNESDAY, MARCH 5, 1980

Subcommittee on Military Personnel
of the Armed Services Committee
Washington, D. C.

The Subcommittee convened at 9:30 a.m., in Room 2118, Rayburn House Office Building, The Honorable Richard C. White, Chairman of the Subcommittee, presiding.

Present: Messrs. White, Montgomery, Kazen, Won Pat, Hillis, Nichols and Mrs. Holt.

Mr. White. Good morning.

Today the Subcommittee on Military Personnel will receive testimony on H. R. 6569, an Administration proposal to amend the Military Selective Service Act to allow the registration of women.

Improving the capability of the Selective Service System is an important issue—it is not merely symbolic. The Nation's current manpower structure, the All-Volunteer Force, is seriously deficient in its capability to meet emergency requirements. Peacetime registration will provide a substantial step in improving mobilization capabilities.

The specific issue before the Subcommittee this morning [2] though is what contribution the registration of women will add to our national defense posture. That is the key consideration. We should not spend more money on defense needs than is required.

Although this morning's hearing is the only hearing the Subcommittee has conducted on the legislative proposal to register women itself, we have held a series of hearings on the issue of women in the military in November of last

year, and several hearings that directly relate to the subject earlier this year. The Subcommittee has also asked the American Law Division of the Congressional Research Service to analyze legal precedents relating to the question of registering women, and has also been provided with a Justice Department memorandum on the subject. All of this material contributes to our deliberations on H.R. 6569

Today's hearing will provide an opportunity for the subcommittee to again consider the views of the Administration, and also to receive testimony from public witnesses.

We have a rather large number of witnesses today and the Chair will ask that prepared remarks be as brief as possible and be confined only to the issue of registering women.

* * * * *

[11] We will take the next witness now, The Honorable Robert B. Pirie, Assistant Secretary of Defense for Manpower, Reserve Affairs and logistics, and The Honorable Bernard D. Rostker, Director of the Selective Service System, and Larry L. Simms from the Office of Legal Counsel.

I believe you are the spokesman this morning, Mr. Pirie?

Mr. Pirie. Yes, Mr. Chairman. I have a very brief statement.

Mr. White. We are pleased to have you here.

STATEMENT OF THE HONORABLE ROBERT B. PIRIE, JR. ASSISTANT SECRETARY OF DEFENSE FOR MANPOWER, RESERVE AFFAIRS AND LOGISTICS; THE HONORABLE BERNARD D. ROSTKER, DIRECTOR, SELECTIVE SERVICE SYSTEM; AND LARRY L. SIMMS, DEPUTY ASSISTANT ATTORNEY GENERAL, OFFICE OF LEGAL COUNSEL

Mr. Pirie. Mr. Chairman, I appreciate very much the opportunity to appear before the committee and to reiter-

ate the views on the registration of women which not only I hold but the [12] Secretary of Defense at present holds.

The Defense Authorization Act for FY 1980 called for the President to send Congress a plan for the reform of the Selective Service System. The Congress asked for a review of ten issues. One of those issues was whether women should be subject to registration and induction for training and service under the Military Selective Service Act. In his response to the Congress, the President announced that he has decided to seek the same statutory authority in regard to women as is now the case for men—authority to register, classify and examine women for service in the Armed Forces.

There are 150,000 women serving successfully in the active Armed Services today and by 1985, it is estimated that there will be approximately 250,000 women in the Armed Forces. The Reserve Forces now have about 60,000 women serving with projections of about 100,000 by 1985. Women in the military today participate in a vast array of occupations. About 60,000 enlisted women hold jobs in historically non-traditional occupations. Large numbers of military women work in occupations such as electronics, communications, navigation, radar repair, jet engine mechanics, drafting, surveying, ordnance, transportation and meteorology and do so very effectively, as has been shown by numerous DOD studies and tests. The work women in the Armed Forces do today is essential to the readiness and the capability of the forces. In case of war that would [13] still be true, and the number of women doing similar work would inevitably expand beyond our peacetime number of one quarter million.

Women have traditionally held the vast majority of jobs in fields such as administrative/clerical and health care/medical. An advantage of registration for women is that a pool of trained personnel in these traditionally female jobs would exist in the event that sufficient volunteers were not available. It would make far greater sense to include women in a draft call and thereby gain many of these skills than to draft ony males who would not only require train-

ing in these fields but would be drafted for employment in jobs traditionally held by females. A further advantage would be to release males currently holding non-combatant jobs for reassignment to combat jobs.

It is doubtful that a female draft can be justified on the argument that wartime personnel requirements cannot be met without them. The pool of draft eligible men (ages 18 to 26) is sufficiently large to meet projected wartime requirements. Furthermore, men, unlike women, can be assigned to any military position, including close combat jobs.

However, women can be used in large numbers in the peacetime and wartime force. The maximum number of women that can be used is subject to three constraints: (1) legislative prohibitions against the use of women in certain military [14] positions, (2) the policy to reserve certain assignments, such as ground combat roles, for men only, and (3) the need to reserve a substantial number of non-combat positions for men in order to provide a pool of ready replacements for ground combat positions.

A change in the Selective Service Act to permit the registration and induction of women would not necessarily mean that significant numbers of women would be drafted. If women were subject to the draft, the Department of Defense would determine the maximum number of women that could be used in the Armed Forces, subject to existing constraints and the needs of the Military Services to provide close combat fillers and replacements quickly. We estimate that this might require at least 80,000 additional women over the first six months. If there were not enough women volunteers, a separate draft call for women would be issued.

The President's decision to ask for authority to register women is based on equity. It is a recognition of the reality that both men and women are working members of our society. It confirms what is already obvious throughout our society—that women are now providing all types of skills in every profession. The military is no exception. Since women have proven that they can serve successfully

as volunteers in the Armed Forces, equity suggests that they be liable to serve as draftees if conscription is reinstated.

Although the equity argument is important, it does not [15] lead the conclusion that men and women should be inducted in equal numbers. Equity is achieved when both men and women are asked to serve in proportion to the ability of the Armed Forces to use them effectively. Therefore, the Administration believes that the Military Selective Service Act should be amended to provide authority to register women as well as men.

It is in the interest of national security that, in an emergency requiring the conscription for military service of the nation's youth, the best qualified people for a wide variety of tasks in our Armed Forces be available. The performance of women in our Armed Forces today strongly supports the conclusion that many of the best qualified people for some military jobs in the 18–26 age category will be women. The Administration strongly believes they should be available for service in the jobs they can do, just as men will be available for jobs they can do.

Mr. Chairman, I have with me Mr. Larry Simms of the Justice Department. As you said, Mr. Simms is prepared to address the issue raised at an earlier hearing with respect to the constitutionality of registration of women.

Mr. White. Do you have a statement you would like to synopsize this opinion and we can go from there?

Mr. Simms. Yes, Mr. Chairman, I can. I have already provided the Staff with a copy of the opinion, which was signed by Assistant Attorney General Farnham, the head of my office, [16] addressed to Deputy Director, White House Office of Management and Budget, on the 21st of January of this year. I can very briefly give you a summary of that opinion.

Before doing so, I would like to note that that is a matter that is currently in litigation before a three judge Federal Court in Philadelphia, the specific issue of the constitutionality of an all male draft.

Mr. White. All male draft or registration?

Mr. Simms. All male registration and draft. In this case the only issue the court can decide is the constitutionality of an all-male registration since there is no current authority to draft.

Mr. White. That is compared to a registration of men and women. That is the issue. Can you register men only?

Mr. Simms. Yes, sir. I have never heard anyone suggest that it would be unconstitutional to your rights to draft women.

Because the issue is in litigation, any comments I have should not be construed as any action on the part of the Department of Justice to litigate that case in the press.

The Department is defending the constitutionality of the all male draft in that case, and I would like to give you a little background of how we view this issue by way of simply referring to the opinion that is a matter of record.

First, in that litigation it is before a three-judge [17] court. The Court of Appeals for the Third Circuit several years ago determined that this issue presented a substantial constitutional question. It was necessary in order to give the three-judge court its statutory jurisdiction that that determination be made. The issue had never been decided by the Supreme Court of the United States on the merits, so we are in an area where we have to raise it solely by analogy to recent and prior somewhat older Supreme Court cases in this area as well as a fair amount of law made in the lower federal courts.

I believe that the most salient point upon which our analysis is based in our legal opinion is that the Supreme Court has shown a great tendency in the area of military affairs to defer to judgments made by Congress. We believe that if this particular issue were to reach the Supreme Court of the United States, which it may well, though not necessarily in this particular case that is in litigation in Philadelphia, that the court would continue as it has, for example, very recently in the First Amendment area, to show great deference to the judgments made by

the Congress. That is not to say, of course, that the Court would accept any judgment and indeed the Court has in the past held unconstitutional judgments made by the Congress in the sex discrimination area, touching on although not central to military affairs.

It is also our belief that because the Court has shown the kind of deferment it has for the judgments made [18] by Congress in this area, the responsibility is all the greater on Congress in considering this issue to consider it wisely and to consider it thoroughly and to make a careful judgment if it decides to either reject or accept the proposal that has been placed before it by the Administration.

In our analysis you will note that in support of the constitutionality of the all male draft we do not call on in any way the legislative history or reasoning of the Congress which in 1949 adopted the law which the Administration is presently urging be changed. The reason for that is very simple. In virtually all of the lower court cases which have reached a judgment on this issue, the legislative history of the 1949 Act has been totally unhelpful to the government in defending its constitutionality.

The reason for that is, to summarize that legislative history, it is replete with—and unfortunately replete—only with the kind of sexual stereotypes and that kind of thinking that the Court has subsequently held will not support the constitutionality of a legislative act of Congress or of the state legislature.

What the government has had to do from 1968 up until the present in litigating these cases is work with primarily people in the Department of Defense coming up with reasons why Congress could justifiably and constitutionally have made the decision that it made in 1949, and this is an accepted way of [19] courts looking at legislation.

This issue is now back before Congress, and speaking solely for the Department of Justice as litigator, it should be fairly obvious to this committee that the defensibility of the all male draft is something which Congress perhaps should speak out clearly and formulate the kind of record if, indeed, it chooses to reject the Administration's pro-

posal, which will be helpful rather than hurtful in the litigation.

As a final comment, I would just make reference back to something which I understood Mrs. Holt to say during the testimony of the first witness. The issue is not in the constitutional context, the issue is not whether there is a necessity to draft women, whether there is a military necessity to draft women. That is the burden on the government.

The Department of Justice is under great responsibility to defend the constitutionality of any act passed by Congress. That is the burden we will have to carry. As to whether it can be carried at this point, we believe it can if the factual basis for it is there, and I think that whether it is there is largely a matter within the jurisdiction of this committee and Mr. Pirie and his peers at the Department of Defense.

Mr. White. Well, let me make the comment. Of course, our role is that of guardian of the security of this nation. We are not serving the same purpose you are in that respect.

Mr. Simms. Let me clarify that, Mr. Chairman. The [20] only point I was making there in defending the constitutionality of an all-male draft, what the Department of Justice will have to convince the court of is that there is a military necessity not to register. In this case I am using the draft and should focus on registration. There is a military necessity not to draft women. That is the burden we will carry, and that is the only point I was making.

Mr. White. What if the ERA should be ratified by the respective states? Suppose that does pass, would you have a different view on its vis-a-vis ERA?

Mr. Simms. I would say, Mr. Chairman, that Justice Renquist, who is the head of my office, shortly after the Equal Rights Amendment had been proposed by the Congress, formally advised—I can't remember who the addressee of the opinion was—that in his view if the Equal Rights Amendment were ratified, given the history of that

proposed amendment, an all male registration would indeed be held unconstitutional.

Mr. White. Mr. Pirie, to synopsize again where we were before, your principal thrust is a matter of equity, which this committee in its need for looking out for the national security, our decision, I think, generally is going to be based on the question of need.

Now, as I remember your previous testimony and that of Mr. Rostker, No. 1, at one time you did say it is a matter of security.

[21] Mr. Pirie. Yes. I said I believed it was in the national security interest of the United States to do so.

Mr. White. We are interested in developing a reservoir of manpower for the purpose of quick mobilization and training for the combat army, am I correct on that, Mr. Pirie?

Mr. Pirie. That is the primary need for the initial inputs to the Armed Forces from the Selective Service.

Mr. White. To me the only testimony you gave earlier was that the drafting of women would enable some men to be placed so that they could go to combat.

Mr. Pirie. That is one of the thrusts of our testimony, yes, sir.

Mr. White. But on further questioning, the testimony from you is that the numbers of billets that would thus be affected would be something in the nature of 19,000.

Mr. Pirie. No, that was in response to Mrs. Holt's question about shortage of Active Army personnel now.

Mr. White. That was my question to you. I asked how many people would be displaced to go to combat, and what are we talking about, and you said 19,000.

Mr. Pirie. I am not sure how that came about. 19,000 happens to be the number short in the Active Army today, Mr. Chairman, but we are looking at the possibility of using up to 80,000 or at least 80,000 people out of the first 850,000 inducted, and that turns out to be in the same

proportion as [22] where we will be in the Armed Forces in 1985.

The shortages of men in the Active Army are not the entire story, of course. In spite of efforts to effect a balance, the Army Selected Reserve and Guard are short some 130,000 people, and the Individual Ready Reserve is short some number between 100,000 and 200,000 people. So there are plentiful requirements for men to be released to combat forces.

Mr. White. The testimony has further shown that 95 percent of the positions or MOSs in the services today are open to women.

Mr. Pirie. That is correct.

Mr. White. Well, if you register two million women, and it will probably be four million women in the first year, according to the plan, because you would be calling up two age groups, and the next age group in January 1981, which is six million.

Mr. Pirie. Yes, sir.

Mr. White. But if you register all of the women and the men, and we had a callup for mobilization, there is no way with the present facilities that you could train the women. You couldn't call them because there would be no place to put them for training.

Mr. Pirie. The intention, as I said, Mr. Chairman, is to call as many as could be used by the Armed Forces effectively, and I indicated that is on the order of about [23] eight thousand, and call the difference between the number of volunteers that appeared and the number of positions that were needed.

Mr. White. Women are volunteering very well, and the quality and caliber is very high, and in 1985 they are going to fill something like 13 percent of the billets.

Mr. Pirie. That is correct, Mr. Chairman.

Mr. Rostker. Mr. Chairman, may I try to put the issue of equity in different perspective as it pertains to the Selective Service System? The fundamenal task of the

Selective Service System is to determine in a fair and consistent way who will in a conscription if not all will go. It is consistent to the history of Selective Service that the pool, that the base on which we draw should be as broad as possible, and therefore historically we have registered, with few exceptions, all of the available men in a specific age group.

I am sure that those men who are drafted don't necessarily want to be there. The facts of today, given the size of the pool and the requirements of the Defense Department, is that not all will be drafted. I think it behooves us then to have as large a base as possible commensurate with the jobs that the Defense Department requires to be done, and the skills and abilities of the people who are available to do those jobs. That would be the fairest way in terms of those who go and the fairest way in terms of those who do not go.

[24] I think it is for that reason that the Administration consistent with the philosophy of Selective Service had asked the Congress for authority to create the largest pool possible to spread the burden, to spread the chances of conscription over the largest numbers of people in order that we may meet our manpower requirements in a fair and equitable manner.

Mr. White. Thank you.

Mr. Montgomery.

Mr. Montgomery. I have two questions. Mr. Secretary, you are in charge of the manpower needs of the military, isn't that correct?

Mr. Pirie. I am the Secretary of Defense policy official in that area, yes, sir.

Mr. Montgomery. If we had a mobilization and we had to have a draft, who would be the individuals that you would have to call up that were needed the most?

Mr. Pirie. The immediate requirement is for fillers and casualty replacements for the combat Army.

Mr. Montgomery. For combat Army?

Mr. Pirie. Yes, sir.

Mr. Montgomery. Why do we want to clutter up the situation by talking about women? What we are really going to need, what the military needs now, both the Army and the National Guard, we need men. We need men to fill the combat [25] roles. We don't need women. Why do we want to create a problem? We have a hard enough time to get men in peacetime registration.

Mr. Pirie. Not only will we need to expand combat arms, as I say, that is the pressing need, but we also have to expand the support establishment at the same time because that meets the situation where the combat arms can carry out their function successful, and the support establishment now uses women very effectively, and in wartime I think the same would be true.

Mr. Montgomery. You are saying in court?

Mr. Pirie. The support establishment. And in wartime some women would be needed for that function.

Mr. Montgomery. In past history volunteers are volunteers mainly to get into noncombative support roles, and I don't think you have any problem there.

To the Director of Selective Service, there has been some confusion on the data that was issued by the Selective Service System that registration could be done in seven days. After talking to you and others, I believe you backed off from that seven days that registration could take place, is that correct?

Mr. Rostker. That is correct.

Mr. Montgomery. That ought to be put on the record. Could you tell us briefly about how much time it would actually [26] take, and I think it is a very important point, that we can't just register people in seven days time and get all of the raw data we need.

Mr. Rostker. If I might, Mr. Montgomery, clearly the analysis presented in the draft report assumed that the system was completely established, and that everything in it would work exactly as planned, and you are aware that such a system does not exist today and will take a considerable time to establish. Moreover, the time table was

based upon a number of assumptions which need to be reviewed in the light of comments received from other agencies in our experience in the last several weeks as we plan for spring registration. For example, the January 16th draft that you refer to had a time table that assumed that the registration would be available and we would activate the Postal Service to distribute registration materials, undertake an effective public information program and get the appropriation through Congress in about three days.

Our best judgment today, after intensive work with a number of Federal Agencies, particularly the United States Postal Service, is that even under the best of circumstances it would take considerably longer to activate the system.

Another factor which has come under close examination over the last several months is the movement of completed registration forms from the registration sites to the data processing centers. In the January 16th draft, we assumed that less than [27] 24 hours we could sort at least one million registration forms, move the forms from 34,000 local post offices to 300 regional centers, and deliver them to as many as 13 IRS and SSA keypunch facilities.

Upon further consideration of transportation requirements, the possible impacts of fuel shortages, and the uncertainty of weather conditions, as well as other external constraints, we had to make a substantial upward revision in these estimates.

One may ask, as you have, what if our January 16th estimates are overly optimistic, what is our best estimate today. I would have to say that the experience of working through the detailed plans for this spring's registration and discovering each day holes that need to be filled and are being filled, clearly shows the difficulty of being too specific when making such estimates.

It does seem likely that given sufficient time, sufficient resources, and ability to clearly develop our operating procedures, train people and test our plans, that we should be able to meet the DOD requirements. But our experience since January 16th clearly shows that this could not

be done such that we would have a registration in four days and start to issue induction orders in seven or begin induction itself in 17 days. In other words, under the best of circumstances we believe we are looking at a time that is considerably longer than that portrayed in the draft report.

[28] I would like to put that draft report also in a slightly different context, and that is it was a draft. It was not intended for wide circulation within the Administration. It was not intended for circulation to the Congress: It was intended to be circulated to an inter-agency working group for comments, corrections, and in fact was under revision at the time of the President's announcement.

I am concerned that Members of Congress are taking that report as a definitive statement of actual Selective Service capabilities and are in fact misrepresenting the report in the debate that has ensued. Clearly, Selective Service to date does not have the capability to respond in an emergency. The projected time tables are not definitive, and most importantly no matter how good any time table looks on paper, it is still a contingency plan and can never be equated with the certainties provided by an up and running premobilization registration system.

Mr. Montgomery. Thank you, sir.

Mr. White. Mrs. Holt.

Mrs. Holt. Thank you, gentlemen. Our purpose here is to raise the best military that we can for the least amount of money, and that is the way we look at it. If we listen to the witnesses, not one military witness has said that there is any military reason to register women, and, Mr. Pirie, when I asked you blank face about if it was the best management [29] practice and you hesitated for sometime and then came back and said it was because it was equitable that it was the best management practice. But I think we all realize that it isn't. It is going to create numbers that you can't handle. There is no way in the world that you can take a percentage of women and a percentage of women and another percentage of men and try to sort out. You

are going to be getting more volunteer women than you can possibly use in the support roles.

Now, you say equity is achieved when both men and women are asked to serve in proportion to the ability of the Armed Forces to use them effectively. You get back to the same point there. Somewnere you are drawing the line. If it is unconstitutional not to register them, then it is unconstitutional not to put them out on the front lines whether they are pregnant or whether they are dropping out because they can't cope with it, whether you have the sexual harassment problem that we are trying to fight right now. It does create management problems. I am not saying that we can't overcome them, but that is not the purpose of the military. The purpose of the military is to defend this country, and I think Judge Sirica was absolutely right when he said—and I think you bore that out—it is perfectly right and constitutional if we classify if it is done for the common good of the country, for national defense. When we classify by age, we are not going to say that everybody has got to go. You have the physically handicapped. [30] You can't make this the same thing you have made the school system.

What would you think, Mr. Pirie, if you were going to register, then what would you have, a percentage of women, or would you just say we need a woman in this particular job so we are going to draft this woman if we got to the point where we had to draft? How would you handle it? I can't see how you would handle it logically.

Mr. Pirie. If women were registered, Mrs. Holt, we would have a very large pool of women whose location would be known, and who would be available to be called up, classified and examined in case induction or conscription were required by the national emergency. The Armed Srvices would have to determine the number of women that they needed both for purposes of expanding the forces and support forces and the support jobs that they have to do, and also for releasing men from the support functions to combat functions.

Mr. Rostker. Mrs. Holt, I think it comes back again to the question of equity. There is no question that women who are physically unfit, as men who are physically unfit, would not be drafted. That is a well established principle within Selective Service. There is no question that if there are sufficient volunteers of men to meet the needs of the Department of Defense men would not be drafted, and if there were a sufficient number of women to meet the needs of the Department [31] of Defense, women would not be drafted. But what we are talking about is the act of registration, the act of identifying oneself to Selective Service, keeping Selective Service informed of their whereabouts, so that in a fair and equitable manner, consistent with the needs of the Department of Defense, that we could under those circumstances conscript the required numbers of people.

Mrs. Holt. Do you think there is any military reason to register women?

Mr. Pirie. Are you asking me, Mrs. Holt?

Mrs. Holt. No, I am asking Dr. Rostker.

Mr. Rostker. I believe that the whole philosophy of the Selective Service System is one of establishing a fiar procedure under law.

Mrs. Holt. I am not talking about the equity now. I am talking about producing the best military we can produce, the most managable military, for the least amount of money. It is going to cost more money to register them. It is going to create a bigger pool of people. We are getting all of the fine wonderful volunteer women, who are doing a great job. Do we need to do it for military reasons?

Mr. Rostker. I think it is consistent with the whole structure of our military.

Mrs. Holt. Why can't you say yes or no?

Mr. Rostker. Yes.

[32] Mrs. Holt. If you think there is a military reason, what is it?

Mr. Rostker. I think that the military is a reflection of the rules of our society.

Mrs. Holt. You are talking about equity. I am talking about military.

Mr. Rostker. I don't think you can separate them.

Mrs. Holt. Suppose a man says, "I am not going to go to combat unless a woman goes." How are you going to handle that equity? It has got to be a matter of national policy. It has gotten into politics now. That is absolutely the only reason the President for some reason thinks it is going to make him more popular if we register women, and then says he is not going to put them into combat. I think it is ridiculous. It is not a tenable position, and it is going to cost money that we need to be using in other places. We might not even have to use registration if we could put the money into doing some of these other things we need to do.

This is a decision of the Fourth Circuit:

"After acknowledging that females were performing vital services in the Armed Forces, nevertheless considering the demands of the military service, we cannot say that Congress had no rational basis for the distinction based on sex."

That is a 1975 decision. So I think, you know, they [33] are on good sound constitutional grounds. I think you pointed out that if it is a classification for the national good, then it is constitutional.

Thank you, Mr. Chairman.

Mr. White. Thank you, Mrs. Holt.

Mr. Nichols.

Mr. Nichols. I have one question, Mr. Chairman and Mr. Secretary. Last summer this committee, led by the Chairman, made what we feel was a rather valiant effort on the House floor to pass the registration bill. We had absolutely no help from the Administration on this, and in fact, the Administration at that time, I believe, said that they didn't feel like it was necessary.

Now, what has happened in the ensuing months? Would you spell that out exactly why you felt it was not neces-

sary back in July or August, and that it is necessary now for the defense of this country?

Mr. Pirie. First, I think the most significant reason, Mr. Nichols, is that Afghanistan has happened, and it is very clear to the Administration that it is necessary for us to demonstrate that we cannot allow the Soviet Union with impugnity to carry out such a brutal and aggressive act, and it is necessary to demonstrate that we are willing to take actions which we previously did not wish to take in order to both demonstrate our resolve and to improve the readiness of [34] the Armed Forces. I think that is a very major issue.

Further, as we have gone into the issue of the registration business, as we have been discussing here, it is clear that there will always be a good deal of uncertainty about the operation of the contingency plan to register people. I think it was quite reasonable for us to wish to build that contingency plan, just like now it is reasonable for us to wish to turn that contingency plan, given the nature of the international situation, into a reality, into a pool of registered people.

Mr. Nichols. Let me ask the same question that Mrs. Holt put to the Director of Selective Service. Mr. Secretary, in your personal view do you feel like there is a military need to register women?

Mr. Pirie. Yes, sir, we have women serving very effectively in military positions today. It is quite important to have as wide a possible pool of applicants for a variety of reasons including the military effectiveness.

Mr. Nichols. Well, I happen to believe, Mr. Secretary, that women are just as patriotic as men. I cannot see the necessity for registering women at this time. I believe if we got into a conflict we would have women four deep at the registration booths wanting to serve the country on a volunteer basis.

Mr. Pirie. Yes. I hope we would have men in the same regard.

[35–38] Mr. Nichols. I believe we would.

Thank you, Mr. Chairman.

Mr. White. Thank you, Mr. Nichols.

Mr. Hillis.

Mr. Hillis. Thank you, Mr. Chairman.

Mr. Secretary, you stated in your earlier testimony that there are approximately 150,000 women, I believe in active service today, and it was projected by 1985 that perhaps this number would go to 250,000, is that correct?

Mr. Pirie. Yes, that is right.

Mr. Hillis. And whether or not we have registration these women, it is anticipated that that 100,000 gain will be made through enlistment by volunteers, is that correct?

Mr. Pirie. Yes, sir, enlistment by volunteers and by keeping people in who we have now.

Mr. Hillis. Retention and so on, but there will be an increase and that will be brought about through an appeal to the young women of America to enlist and serve their country, is that correct?

Mr. Pirie. Yes, sir.

Mr. Hillis. Now, has your office or someone in your area made a study of what the manpower and womanpower needs might be if we in the foreseeable future had to go to an even larger military force or toward mobilization in a national emergency?

[39] You project a figure higher than 150,000. My colleague said the figure of 300,000 was used in World War 2. What is your upward projection in case of a national emergency?

Mr. Pirie. Mr. Hillis, we estimate that we would need 650,000 individuals to be inducted over the first six months.

Mr. Hillis. How many of those would be women?

Mr. Pirie. At least 80,000, Mr. Hills.

Mr. Hillis. That is even if we had the 250,000, you are talking about another 80,000, which projects into about 330,000?

Mr. Pirie. Yes, sir.

Mr. Hillis. That would be a realistic figure for us to meet an emergency mobilization in this country, is that right? How many people are you talking about when you say register women?

Mr. Pirie. The cohorts are roughly two million men and two million women per year in each group. So that for the first two year groups, we are talking about four million men and four million women.

Mr. Hillis. So you are going to register four million women to perhaps—hopefully we wouldn't want to have to draft anyone, but to meet our needs perhaps to raise womanpower needs of 80,000?

Mr. Pirie. That is correct.

Mr. Hillis. That is a very, very small fraction of a [40] percentage, is it not? Don't you think 80,000 could be met by volunteers?

Mr. Pirie. It is pure speculation on my part, Mr. Hillis. As I said to Mr. Nichols, I would hope that we would have both adequate men and women volunteers. We can't be sure of that.

Mr. Hillis. We are staying out of the social issues here. I regard equity as one of them perhaps defining this need. You talked about 95 percent of the jobs young women can do. I think this is very good.

I know I was at the airbase in my district the other day, and the first person I spotted overhauling an engine was a very attractive and very well trained, obviously, young person, who was a woman. In checking with the shop foreman he said she was one of the best mechanics he had in the shop.

The point I am getting at even with that 95 percent that only leaves 5 percent that are closed to women, and in those 5 percent combat MOS's, that is where really the great numbers of people are required in that 5 percent. Do you have those figures?

Mr. Pirie. I can suppose those figures for the record, but it is true to state that the bulk of the people in the

Armed Forces—not the bulk of them but a very large number of people in the Armed Forces are in the MOS's that are suited to women with combat skills.

[41] Mr. Hillis. Artillery personnel.

Mr. Pirie. Exactly.

Mr. Pirie. And this is where the great numbers are required.

Mr. Pirie. Yes.

Mr. Hillis. So unless Congress changes the social policy as to that five percent, it is conceivable that the numbers that we are talking about here today, which was originally 100,000 and has gone to 250,000, and then has gone to 330,000. That isn't going to change until we make the policy change on the five percent that are closed on the MOS's.

Mr. Pirie. I think we are on the path toward this 250,000 women, which is 13 percent of the Armed Forces, which is prudent and which will tell us and allow us to observe them and use them effectively, and tell us whether it is possible to use them all or whether that is the right number. We have to find that out. I would not rule out using women in the Armed Forces, but that is our plan for increasing women.

Mr. White. I want to emphasize one point. The question before the committee is whether or not to register women at this time, and why I emphasize those words is this does not preclude us at some time down the line when we think the need does arise to reinstitute a registration for women, and, Mr. Simms, I would like to say this: Your burden of proof [42] as you say, would be to show that it is not necessary to register women at this time and put it in the negative rather than to say whether it is necessary, to say it is not necessary, and I point out these things to see whether or not you feel this would help to clarify your burden of argument that the evidence is very clear before this committee that registration now, standby registration now, of young males is to provide a reservoir to train for combat in the event of mobilization and the evidence is

very clear from all official witnesses and almost all of the other witnesses—maybe there is one witness who has a different opinion—but otherwise, the overwhelming evidence was there is no intention to put women in combat roles, and therefore I would say this would serve your burden of providing there is no need to register women at this time.

Mr. Pirie. Let me address that by saying at first it is the opinion may office gave, and OMB indicates, we think the real linchpin of our country's defense is directly tied to the proposition that as a constitutional matter Congress may prohibit women from serving in combat. Everything relates back to that proposition.

Let me answer your question by contraditing the kind of approach that you are suggesting with the kind of approach that the Administration is suggesting, and going back to the opinion that Mrs. Holt alluded to earlier, the case of Owens versus Brown. In that case Judge Sirica held unconstitutional assignments [43] across the board for military duty. Judge Sirca held that unconstitutional. He said that that particular provision was unconstitutional because it was not directed at enhancing military preparedness because the sweep of the prohibition was purposely extended to cover both combat assignments and noncombat assignments.

Analytically speaking, purely as a lawyer, the burden is on the Justice Department to defend all male registration which is on its face vulnerable to the same kind of attack and same kind of decision made by Judge Sirica in Owens v. Brown is very heavy. That is why I say that the burden on Congress and the burden of the Justice Department is over the years trying to convince the Court and Congress to show why women should not be registered. There has to be a link in our feeling to the combat situation.

The way the Administration proposes to make that link is, register women (No. 1) and then (No. 2) based on current military assessment of their needs for men to fill combat situations, they will draft women accordingly. There is no doubt in my mind that that process would be

held constitutional. That would be a contemporaneous decision based on military necessity, which I have no doubt could be defended.

Mr. White. But in the negative though, that the Congress opts not to register women, then I think we would be on firmer ground with the court, and especially in the light [44] of the history of volunteering of women who have fulfilled the necessary roles.

Mr. Simms. Let me answer that very briefly, Mr. Chairman, the constitutional attack on the all-male draft is not coming from women. That seems to be a wide misconception. The constitutional attack on the draft is coming from men who simply don't want to serve. I assume that is their motivation. They are invoking their constitutional privilege. That is, most men simply do not want to serve the military.

You raised earlier the question of military necessity, and I don't mean to say this in an alarmist fashion, but if the Supreme Court were finally to strike down all male registration, the result of that decision would not be met by virtue of that decision on registration of women, but rather there would be a strike-down of the statute, and perhaps it would invalidate an entire registration of males program that had been in effect.

Now, I don't say that categorically. It is hard to tell how they will deal with that issue. Certainly they will be uncomfortable with it. So it can be said from a purely legal standpoint that somewhere down the road, and again, the counters to the service laws normally may only be brought by people who refuse to set forth, and with the odds of getting a tentative decision in the court case, in my view, are very slim because of the jurisdiction problem in the case, which means that we are dealing at the very least with an uncertainty in the [45] area of military affairs, the importance of which this committee clearly appreciates. I think that ought to be clearly understood.

Mr. White. But the other precedents you have cited in your brief consistently hark back to Congress as being those who are the best judges as to the national security

needs, and I think if there is a question of uncertainty, I think it is well that the courts make the decision, and maybe it needs to be clarified. That is your job and you do it well.

Mr. Simms. Unfortunately, the legislation occurs in a context in which there are very well established rules about who can bring a suit and who cannot bring a suit, and we live with that body of law the same way plaintiffs do.

Mr. White. Tell me, maybe a law could be passed with wide-sweeping scope and implication that hasn't been tested in the courts. Even if we passed the registration of women, it would be tested in the court.

Mrs. Holt. Will the gentleman yield? I think the big point is—and you pointed out so well—the courts have referred to the military to defend this country. They are the ones that have to make the decision about it through us, through the decisions that we make, and I think that is where it turns. They feel that we can classify according to any of these things if it is for the common defense of this country. I think that is where the whole point turns. We haven't had [46] one military—I don't remember—I haven't heard one service chief or anybody say that there was any military need to register women. This is a civilian deal. It is not really the military feeling at all.

Mr. Simms. One factor which we did discuss in the last part of our opinion, Mrs. Holt, is the fact that ever since this three-judge court case was filed in 1970, the evolution of the Supreme Court's interpretation of the equal protection clause as applied to sex discrimination has been sort of extraordinary—would be a good word for it. It has come a long way, and the Justice Department, although we will make every conceivable effort to defend the constitutionality of the existing law, as I stated earlier, we can use all of the help we can get, and let me reemphasize the fact that the courts have shown a great deal of deference to Congress takes no responsibility whatsoever off of your shoulders and the Administration's shoulders now to

address these issues very squarely and resolve them as they should be resolved.

Mr. White. I think we have made a pretty good record for you, and if you are looking for back-up information or evidence, I think it is there throughout this hearing. Don't you feel so, Mrs. Holt?

Mrs. Holt. Yes.

Mr. White. Are there any other questions.

Mr. Hogan.

[47] Mr. Hogan. Thank you, Mr. Chairman.

Addressing Mr. Simms again, isn't there a sharp distinction in the sex discrimination cases in the private sector and alleged sex discrimination cases in the military? We have Section 8 of the Constitution facing us squarely, and it is the pregotative of some sitting judge to supercede the Congress in its compelling interest in providing for the national security, and it seems to me that there is a substantial body of law on the books unrebutted which supports that proposition.

Mr. Simms. Let me respond to that by saying first I commend to you Judge Sirica's opinion.

Mr. Hogan. I have read it, Mr. Simms, and I am wondering if it is some sitting judge's prerogative to supercede the opinion of Congress.

Mr. Simms. Well, it always is in constitutional matters because the courts finally decide what the constitution means.

Let me also say this sharp distinction you are talking about is not quite as sharp as I wish it would be from the standpoint of somebody trying to defend the Selective Service Act of 1949. Indeed, the language that we rely on most heavily in our opinion, Mr. White, from Schlesinger vs. Ballard is clearly different in that case, and it says in an opinion issued by the Supreme Court that not one of them has suggested that it ought to be a decision based upon defering to military needs.

[48] So, while we are prepared to make that argument, I am not nearly as confident and I don't think the sharp distriction you are talking about has been drawn in any court cases of which I am aware.

Mr. Hogan. Thank you.

Mr. Wincup. I have two areas I would like to ask about. I am interested in your 80,000 figure. The testimony has been offered to this committee in a number of cases your requirements are for 100,000 in 60 days and 160,000 in 180 days. Those numbers are not based on how many people we need; they are based on how many people we can train during that period, essentially the size of the training bases.

Mr. Pirie. The initial constraints are to startup of the training bases in terms of the strength of six months, and things of that kind relate to other things, including the activation of the production base, the availability of weapons, and things of that kind.

Mr. Wincup. But the training base is a limiting factor insofar as the requirements are concerned?

Mr. Pirie. That is one of the considerations that was taken account of in the formulation of the need for the 100,000 by M plus 60. That assumes that the training base and the Selective Service team all start from the same point at M day. It is quite conceivable to me in the period of rights and retentions, the President can start the training some months [49] ahead of time, in which case the strength would not then exist.

Mr. Wincup. The point is, I guess the shortage that exists in the military in the early period generally over the six-month period is in the combat zone. That is where the bulk of your problem is. I assume the 80,000 you come up with are essenially the non-combat kinds of positions that you would be requiring during that period?

Mr. Pirie. Yes, that is right.

Mr. Wincup. Then is it the Department's position, based on your testimony, that if women are asked to register,

that you in fact draft women to cover all non-combat positions during the course of that period?

Mr. Pirie. No, that is not the case.

Mr. Wincup. If so, why do you choose them over men for those positions?

Mr. Pirie. I think that goes back to two of the arguments, and first is the active argument that you talk about Mr. Rostker brought up.

Mr. Wincup. It hardly sounds equitable.

Mr. Pirie. That is correct, we would choose them for positions that the Armed Forces could effectively use them for, as I said before.

Secondly, as I also said before, it is reasonable in a limited pool to expect people who are trained and have skills that would be immediately available and very useful, such as [50] fire protective skills and medical skills, releasing men who would be immediately deployable.

The problem with the drafted man is that it takes twelve weeks of training to make that man employable. However, a woman who is drafted would require little, if any, training to move into a noncombat job to release a man who had previous training who was immediately deployable.

Mr. Wincup. For this purpose you are saying to release another. That could be a man or a woman.

Mr. Pirie. It could be a man or woman. As I pointed out on some of these things it might take time to train a man whereas if you had a woman already trained in that noncombat skill that would be a plus.

Mr. Wincup. Let me ask, if I might, Mr. Simms, the point about the government's burden in the cases that you are addressing. You have said that the argument is the combat in the statute. If Congress were to take action and would permit the registration of women, albeit ultimately for a draft, I think you would have to admit that the combat exclusions in their current form only apply to Navy and Air Force, there is none for the Army and in a sense for the Marine Corps, and they are not as clear as they might be in terms of introduction of women in combat. If

the registration of women were permitted, would it make your burden more difficult?

Mr. Simms. If the registration of women were permitted [51] there wouldn't be any law suit until such time as the male challenged his being sent into combat, and we have no doubt that that can be defended, not just the statute that you are talking about but the policy which supplements the statute for the two services, which I assume are not effectively covered by the statute.

We have no doubt about our ability to defend the proposition that women shall not serve in combat, but the problem is to net the two notions. That is what you ought to be focusing on, is how do you relate your decision not to register women if you want to put it that way. I will put it in the negative, to this proposition that women can in fact be precluded from being assigned to combat.

Mr. Wincup. And it is your opinion that the fact that the latest expression of Congress on the subject was to permit women to be registered would have no effect on that?

Mr. Simms. None whatsoever.

Mr. Montgomery. Mr. Chairman.

Mr. White. Mr. Montgomery.

Mr. Montgomery. Mr. Simms, in the past have the courts considered in their decision really what the nation needs and the military needs in the survival of the nation? In the opinion of the courts, do they consider that when ruling on the constitutional law?

Mr. Simms. Certainly that kind of notion of the survival [52] of the nation is a concept that I think is subsumed within the courts generally in deference to decisions made by Congress in the area of military affairs, the same way as when the President assumed his Commander in Chief powers, the courts tend to show a great deal of deference to that assertion also. The courts simply try not to meddle in military affairs when they can possibly avoid it.

Mr. Montgomery. Thank you.

Mr. White. Not to prolong your presence here, but, Mr. Rostker, I understand you had tightened up the proce-

dures that are contemplated for registration, and with your permission I would like to have you announce for the record, since we have heard your testimony, your new regulations will require face to face registration, of course, at a post office. The individual will come in and sign his name and will provide an identifying number, whether it is social security or whatever form of identifying number that he has in the absence of a social security number, is that correct?

Mr. Rostker. That is correct.

Mr. White. Is there anything further at this time that is contemplated to identify that person?

Mr. Rostker. We will control the distribution of the registration material, and we will require that the individual provide us with their social security number and provide us with positive identification.

[53] Mr. White. Or if he has no social security number, some other identifying number.

Mr. Rostker. Exactly, and the registration forms as they are being designed today has a check-off to indicate that positive identification was received by the postal clerk, who will examine the material, check it for correctness or legibility and then we will through the procedures established forward it to Selective Service.

Mr. White. We appreciate your coming today, and there being no further questions, we thank you very much for your apearance.

Mr. Pirie. Thank you, Mr. Chairman.

Mr. White. Our next witnesses are Mr. David Landau and Ms. Diana Steele, from the American Civil Liberties Union.

Mr. Landau, I note that you have a rather lengthy statement, and we are trying to confine the witnesses as best we can to shorten their time so that we can get all of the witnesses in. Would you like to have this placed in the record and summarize it?

Mr. Landau. Yes, please.

Mr. White. The entire statement of Mr. Landau and Ms. Steele will be placed in the record at this point.

(The statements are as follows:)

STATEMENT BY
ROBERT B. PIRIE
ASSISTANT SECRETARY OF DEFENSE
(MANPOWER, RESERVE AFFAIRS, & LOGISTICS)
BEFORE THE
SUBCOMMITTEE ON MILITARY PERSONNEL
COMMITTEE ON ARMED SERVICES
HOUSE OF REPRESENTATIVES

WOMEN IN THE MILITARY

13 NOVEMBER 1979

NOT FOR PUBLICATION
UNTIL RELEASED BY THE
HOUSE ARMED SERVICES
COMMITTEE

ROBERT B. PIRIE, JR.
ASSISTANT SECRETARY OF DEFENSE
(MANPOWER, RESERVE AFFAIRS AND LOGISTICS)

Mr. Robert B. Pirie is Assistant Secretary of Defense (Manpower, Reserve Affairs and Logistics).

Mr. Pirie attended Princeton University and graduated from the U. S. Naval Academy. He received a B.A. and M.A. from Oxford University, England, as a Rhodes Scholar.

Mr. Pirie was a career officer with the U.S. Navy from 1955–75. He served in various capacities on nuclear submarines, culminating his service as Commanding Officer of U.S.S. Skipjack. From 1966 to 1969 and from 1973 to 1975, he served on the staff of the Secretary of Defense. In 1972 and 1973, he was on the staff of the National Security Council. In 1975 Mr. Pirie became the first Deputy Assistant Director for National Security of the new Congressional Budget Office. He served in that position until June, 1977, when he accepted the post of Principal Deputy Assistant Secretary of Defense (Manpower, Reserve Affairs

and Logistics) with the Office of the Secretary of Defense. On February 14, 1979 President Carter nominated Mr. Pirie to be Assistant Secretary of Defense.

Mr. Pirie is a recipient of the Legion of Merit and the Meritorious Service Medal for his services in the Office of the Secretary of Defense, and of the Meritorious Service Medal for his work on the National Security Council staff.

Mr. Pirie, his wife Joan, and three children live in Bethesda, Maryland.

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Civil Action No. 71-1480

ROBERT L. GOLDBERG, ET AL., PLAINTIFFS,

vs.

CURTIS TARR, ET AL., DEFENDANTS.

Washington, D. C.
Tuesday, May 13, 1980

Deposition of

BERNARD D. ROSTKER

a witness, called for examination by counsel for the plaintiffs, pursuant to notice, taken at the Selective Service System, National Headquarters, 600 E Street, Northwest, Washington, D. C., beginning at 4:08 p.m., before Rebekah J. Johnson, a Notary Public in and for the District of Columbia, when were present on behalf of the respective parties:

[6] A It was to provide a firm basis on which the Selective Service could respond in a national emergency to the manpower requirements forwarded to us by the Secretary of Defense or by the Assistant Secretary of Defense for Manpower.

Q And in terms of performance objectives, what was the revitalization intended to accomplish?

A The revitalization of the System was intended to accomplish, at a minimum, the provision by the Selective Service to the Department of Defense first inductees on M plus 30 days; 100,000 on M plus 60 days; and 650,000 inductees within six months. Those were the minimum per-

formance goals forwarded to us by the Secretary of Defense.

Q And at the time you were preparing the revitalization, was there any consideration of the registration of women for the draft?

A Yes. The questions addressed to the Selective Service System included a question upon the registration of women. We participated in the staff debates on that issue.

Q What staff?

A Within OMB and Defense. In early February, the President announced the Administration's position on the registration, and in the event of a national emergency a [7] return to conscription, the conscription of women.

Q When was that?

A In early February.

Q Who within your office participated in those debates in responding to the question concerning women?

A I am the one who is responsible for the position of the agency with regard to policy. And my position was favoring the registration and the induction of women in limited numbers to meet the requirements posed by the Secretary of Defense for women.

Q And what were those requirements?

A The Secretary of Defense, through the Assistant Secretary, stated that of the first 650,000 inductees they desired us to provide 80,000 women. That would be 80,000 within six months. The program they laid out to us would require us to provide 20,000 a month starting the third month, and we would provide 20,000 the third, fourth, fifth and sixth months.

Q Now the 650,000 figure and the 80,000 figure, were those to include voluntary enlistments as well as inductions by conscription?

* * * * *

Q So that administratively if Defense asked for its 650,000 total, 80,000 female complement, within six

months, do you believe that you would be in a position to make the deliveries starting with the first person as of M plus 30 without respect to sex?

* * * * *

A If the Congress provided the legal authority for me to register women, if the Congress provided the financial means by which we could carry out a registration of women both in terms of the allocation of funds and providing no restrictions of the use of those funds for that purpose, we believe we could build a system that would allow us to meet [18] any deliver schedule that Defense would give us in the general realm we have been talking—the first, 30 days; 100,000, 60 days; 650,000 in six months. We could meet that schedule and provide any proportion of the women that would be required.

* * * * *

[24] A As a manager of this program responsible to the Congress as well as to the Administration, I could not do it without: (1) the enabling legislation, and (2) explicit allocation of funds. We are talking roughly about $2 per person for us to accomplish a registration. So if we were to [25] have a registration of a single year group, roughly two million females, we would need an allocation of about $4 million. If we were to put males and females on the same foot, which according to our plan we would register females born in '60 and '61, that would cost us $8 milion. We would have wanted to do that this year. Next year, we're planning to register males born in '62. That is costing $62 million. And if the Congress provided the authority and the dollars to register females, we would have needed $2 million more dollars. With males we would expect to go on a system of continuous registration. There are approximately two million males in each cohort. That would be approximately $4 million. If we were to extend the same program to females, namely 18-year old continuous registration, two million in that cohort, we would need an allocation of $4 million more per year, approximately.

* * * * *

[43] MR. WEINBERG: I am asking for operational impact if you were granted the authority.

THE WITNESS: I think there's two questions. One is what would happen if we had to cease inductions because of such a finding? Obviously we would cease inductions. The system could not operate. We would fail our mission.

Then there was another question, what would happen if we were told by the courts to register women? It has been the position of—is the position of the Administration that we want to accomplish registration in a premobilization period so that we may do it in a less disruptive fashion, so that registration would go smoother than it might in the hectic days of a mobilization. If that logic is correct for a male registration, it should also be correct for a female registration. If I have accomplished the registration of men in a premobilization period, it would be disruptive of the system to have to accomplish a massive registration of women in a post-mobilization environment.

* * * * *

[45] Q And is the position of the Selective Service System that the risk that the authority to register and later to draft males may be overturned a risk that your organization would rather have determined in a premobilization situation than in a post-mobilization, during mobilization?

* * * * *

[46] THE WITNESS: The more that we can accomplish in peacetime, consistent with judgment as to cost and effectiveness, the more we can accomplish in peacetime would therefore make it more likely that the system would run smoothly in time of national emergency.

BY MR. WEINBERG:

Q And would the Selective Service System prefer to have the question of whether a male only draft is constitutional decided in a pre-mobilization situation?

* * * * *

A I know the question. But I think my previous answer was, in fact, the right answer. I in no way wish to dictate to the courts when they should hear something. I would only [47] say that the less uncertainty I have after a mobilization, the easier it would be to run the system.

* * * * *

[1] IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT L. GOLDBERG, ET AL., PLAINTIFFS

vs.

CURTIS TARR, ET AL., DEFENDANTS.

Civil Action No. 71-1480

Suite 708
1776 K Street, N.W.
Washington, D.C. 20006

Thursday, February 5, 1976

Pursuant to notice, the following deposition of PETER T. STRAUB was taken before me, Jerome J. Lazarus, a Notary Public in and for the District of Columbia, commencing at 9:55 o'clock, a.m., when were present on behalf of the respective parties:

* * * * *

[24] Q Have you had occasion to review the history of the Selective Service Act of '67 with regard to whether there was any input from Selective Service concerning the issue of a male-only versus a male and female conscription system?

A Yes.

Q What is the result of that inquiry?

A There was no input.

Q Selective Service was not asked to nor did it comment on the question?

A To my knowledge and recollection, it did not.

Q Do you know whether anybody considered the question of drafting women in connection with the 1967 Act?

A I find no reference to it.

* * * * *

[1] UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF COLUMBIA

ROBERT L. GOLDBERG, ET AL., PLAINTIFFS,

vs

BYRON V. PEPITONE, ET AL., DEFENDANTS.

CIVIL ACTION NO. 71-1480
F.S. 76-0193
MISC. NO. 76-0159

Pentagon, Washington, D.C.
Thursday, October 14, 1976

Deposition of

LT. GENERAL HAROLD G. MOORE

called for examination by counsel for the plaintiffs, pursuant to notice, in the Pentagon, Washington, D.C., beginning at 1:00 o'clock, a.m., before Phyllis E. Jacobs, CSR, a Notary Public for the State of Virginia at Large, when were present on behalf of the respective parties:

[20] units.

We are making an active effort, and have been over three years now, to reduce what we call the tail of the Army, and increase the teeth. We call this a detail ratio.

We are trying to increase the teeth and reduce the tail and all within the same strength authorized by the Congress.

* * * * *

[2] Q Looking now at Annex B to Chapter Four of the Women in the Army Study, which is a list of skills, MOS for temporary closing based on management consideration that gives an MOS title and a reason.

A Uh-huh.

Q Now, the reason for the majority, I think, of the management closures is rotation base.

Do you know what that refers to?

A Oh, yes. Right.

Q Could you tell us?

A Right. This is one I have not described yet, but which does figure greatly in our management consideration for both men and women.

The rotation base in the Army is the United States based units, which sustain overseas operations.

Q Are those referred to sometimes as CONUS?

A Right.

[67] BY MR. WEINBERG:

Q If you will recall, I was looking towards specifical interchangeable slots within the max-WAC percentage, and those could be filled, obviously, by men or women.

That's the only criteria that I was setting, and if it became necessary to fill those slots by conscripts.

A I think we would have to look—I will try to answer your question.

Q Okay.

A We would have to look at the situation which existed at the time; for example, is a war going on? For example, is it estimated that a war is about to start? Is it estimated that some enemy of our country is about to attack us? Are we in the middle of a war?

It seems to me that what would happen, sensibly, is that the Army would take a look at the situation on a case by case basis, and determine, first, whether or not we felt we needed to conscript women.

Q In each of the cases that you have put forth, I take it there would be some evaluation of the max-WAC figure for units based upon the conditions that you have put forth?

A Yes. Right.

Q And that may call for a modification, either upward [68] or downward?

A Yes.

Q A modification of the max-WAC figure?

A Yes. And depending on the location of the particular unit, Mr. Weinberg.

Q Absolutely. It would call for some modification of the max-WAC figure.

A The location in the world of that unit, and the mission of that unit, wherever it is located.

Q Right. And that would yield some revised max-WAC figure for a unit?

A Right. And it could be zero.

Q For that unit?

A It could be no change.

Q All right.

A It would depend on the situation, in short.

Q In our history, at least in our history, as far as you can recall, based on your time in the military academy, and your career since then, is it true that there has never been a time when the female personnel level of the Army as a whole has been zero?

A So far as I know, there has always been some women in the Army.

[69] Q And as you said, there were 300,000-some odd in World War II, and it varies, as you said, depending upon the general situation?

A Right.

Q To the extent that the revised max-WAC figures for the various units of the Army are taken into consideration so that whatever hypothetical situation is, it's already plugged in, and there was a max-WAC figure for the Army as a whole greater than zero?

MR. KELSON: There was not. That was not being met.

MR. WEINBERG: Well, we started off by saying that there was a max-WAC figure that was greater than zero

that was not being met, either by female voluntary enlistment, or a surplus of male voluntary enlistment, such that conscript is necessary to fill those slots which, in theory, are open to either men or women, and in the judgment of the Army, after taking into account all of the factors in the situation as then exists, those slots can be filled by either men or women without degrading the performance of the Army.

THE WITNESS: Did you postulate that (in sufficient) numbers of men being drafted under that assumed condition?

* * * * *

[70] Having already decided that that slot can be filled [71] without detracting from the Army's mission by either a man or a woman, and it must be filled by a conscript, because you are not getting enough volunteers, would it detract from the Army's mission to fill it with a female conscript rather than a male conscript?

MR. KELSON: Objection. I think you are begging the question again. It's improper.

THE WITNESS: I agree with my counsel's objection but I would think what would happen then, Mr. Weinberg, is that the Army would look carefully at the situation and determine whether or not mission accomplishment would be degraded by drafting, by requesting that women be permitted to be drafted, or a law enacted for women to be drafted.

It would depend on the case.

What you must always remember is that conscription is turned to by the Army when it cannot fill its manpower requirements, and authorization by volunteers.

* * * * *

[72] Now, the next point is that wherever males are found in Army units, they all have gone through basic combat training. Women could not go through basic combat training.

Wherever these men have been assigned in the past subject to limitations of medical units and conscientious

objectors who are serving in uniform in medical units and so forth, we have had the capability in the Army times of crises or emergencies to transfer men from what we now call Category II and Category III Units into Category I Units.

We would not have that flexibility with women in battle, whether they are drafted, or whether they are volunteered.

Now, it seems to me that for the defense of the country, that the country should stack the cards in its favor wherever possible by creating conditions where, if necessary, such transfers became mandatory, they could be carried out; and it seems to me that the officials of this country would be limiting such flexibility by being extremely liberal, and women in all kinds of Category II and III Units, either drafted or volunteered.

[76] MR. WEINBERG: (Interposing) That's right.

MR. KELSON: (Continuing)—and may never that a determination be made that a particular position interchangeable, male or female, with no derogation Army mission.

MR. WEINBERG: That's right.

MR. KELSON: That's highly hypothetical, and you are begging the fundamental question.

MR. WEINBERG: There is no fundamental question being begged.

The question of whether a job should be open to females in time of war, and in time of threat, I am leaving firmly in the discretion of the Army. This is not what the suit is about, and it's a misapprehension that I think has been fostered in the papers of the defendants, and it totally misapprehends what the suit is about.

We do not seek to say that you have to put women in combat, or you have to put them in close support, or you have to put them in a helicopter or anywhere else.

* * * * *

[81] A The Army exists in this country to be responsive to the President and the Congress and to the people, and be ready to fight to help defend the country when called on.

I previously stated that the Korean War stated over a weekend, as we know, so we must be ready to fight at any time.

I don't want to leave you with the impression that if suddenly we were attacked this afternoon, that we would look at every outfit in the Army to see if we want to change the women content. Please don't get that impression.

Q I presume the need for quick response has already gone into the fixing of existing max-WAC content.

A That's exactly why we gave it to the headquarters in charge of combat doctrine to study in the first place. That's why we went to field commanders to get their views, the European Army Commander, the Eighth Army, the Korean Commander.

We are doing the best we can to test out their views to see if they are sensible in field conditions.

Q I understand, and I think we both understand that the existing female content is based upon the Army's best [82] analysis now, including the need for quick response.

A And we must be ready to fight.

Q Immediately.

A Whenever, and wherever called on without rearranging a lot of—

Q (Interposing) of Course, and that is part of the margin for safety.

A We call it combat readiness.

* * * * *

[100] with women who want to serve their country in uniform, and we have found that a dedicated female soldier is a very effective soldier.

We have also found that we have no trouble in recruiting sufficient high quality volunteer women to fill the authorized slots, the authorized skills.

The basic reason for conscription is because there are not enough volunteers. Between 80 and 90 percent of the replacements in a wartime situation are for combat arms units.

Q Is that in the initial days, or does that continue through an extended conventional war?

A It would depend, again, on the situation, but let's take a war like Korea or Viet Nam or World War II. I think my figures are generally correct. The need for replacements, the majority of the replacements are needed in the fighting units.

Q And we can say to that over 50 percent?

A I would say over 80 percent.

Q And does that go right through the course of the war, or does that only—

A (Interposing) It would depend on the war.

Q Well, you were saying World War II, Korea, Viet Nam.

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GOLDBERG

v

PEPITONE

CIVIL ACTION #71-1480

Pentagon,
Washington, D.C.
October 19, 1976

Deposition of

EDWARD C. MEYER

a witness, called for examination by counsel for the Plaintiff, by agreement of counsel, at the offices of the Department of Defense, Washington, D.C., before Douglas W.G. Blair, a Notary Public in and for the State of Virginia, when were present on behalf of the respective parties:

[7] Q Did any of the plans involving the possible reinstitution of conscription, did the contingency plans call for the stripping down of the non-combat and combat support forces to make up for shortages in the combat support forces? And, to the extent that that can be answered, can you answer yes or no generally, without compromising any classified information? We have had a description from Mr. Ahern very generally of the conscription scenario in a NATO-Warsaw pact [8] confrontation.

A Do you mean in terms of your question is there a plan relating to the use of conscription, or the reinstitution of conscription which also speaks to the stripping of these rear units that you have referred to; is that your question?

Q Essentially, yes.

A The answer to that is no, to the best of my knowledge.

* * * * *

[9] Q Okay, to this question there is no such preface: In terms of contingency planning, do any such plans call for the stripping down, as we have discussed?

A Well, stripping down is a rather vague term. Could your question be more specific? Stripping down of what, to do what?

Q Taking personnel from the non-combat and non-combat support forces and transferring them to combat or combat support forces, in order to make up a personnel shortage in those latter forces.

A It really has not been addressed in those terms, in the terms of your positive question.

Q How has it been addressed?

A It has been addressed in terms of a reliance in future wars in terms of post-nation support to do some of the combat service support roles which still must be done, so that there is no effort to reduce the need for the performing of those missions, and attempting to accept the fact that in future wars they will be part of and in conjunction with our allies, and that we can consider the employment of allies performing the role of combat service support with the U.S. force, therefore, able to focus perhaps the greater extent of [10] its effort in the area of combat and combat support.

* * * * *

[17] A One of the options would be a worst case scenario.

Q Now, by the case of the non-combat and the non-combat support units, finding themselves fighting, are you recommending—

A Sure.

Q —or does your analysis indicate that the female content of the units present in that theater should be zero?

A Again, this is judgment based on my experience. My judgment tells me that the ratio of women in those units in peacetime, as opposed to wartime, the ratio—that is the number of women versus the total, would be higher, much higher in peacetime than in wartime, and it questions whether or not having women in some of those units at all, does not create such a tremendous management problem that it would not be a feasible alternative in wartime.

Q You are saying in some of those units. Does that mean that you are focusing on a specific set of those units or taking them as an aggregate manpower pool? I'm not sure, again, quite where your analysis is focused.

A My analysis is focused on all of those units. The reason it would be difficult to be absolutely specific is because I haven't thoroughly analyzed the situation so far as

* * * * *

[18] That is why I say I don't really know. Traditionally there have been some women drivers, and things like that in "a broader theater", but it would be difficult, indeed it would be almost impossible, in my view, the management of [19] people at that critical point. I just see the next war as being so demanding that anything that complicates the management of the people in an early stage would make it nigh on impossible to be effective.

Q I am still looking for a little more clarification on your reference to some units within the combat theater, and I am not sure whether you are saying that the presence of any women in any units would have the same inhibiting effect upon effective management, or—

A I would say that any women in any units would have this effect on management. It would just be a flat difficulty of management.

Q To a point where there is a reasonable possibility of it actually impinging upon the ability to get the job done?

A Yes, I would say that.

* * * * *

[27] Q Would the management problems that you are referring to be impacted either favorably you wouldn't be considering career aspects or unfavorably for any reason, if you were talking about dealing with conscript, non-career women rather than enlisted volunteers?

A No.

Q It is strictly a question of men versus women on the management issue?

A Yes.

* * * * *

[44] Q Now, the opinions, or judgments as you call them that you have been giving us so far. To what extent is that official Army doctrine, or are we talking about your own expertise?

A I think in the area of the role of women in wartime in the complexities that the conscription of women would place on our management system, I think that in those areas that the Army has, perhaps not thought through those full [45] impacts to the degree that I have preferred them today, but that, in my job where I have the responsibility for looking ahead and thinking ahead my personal judgments on it will be influential based upon my ability to articulate those views in the future.

* * * * *

[53] training of women as opposed to men in the United States Army?

A Yes

Q I believe General Moore previously addressed those differences.

Sir, regarding the European war scenario, concerning the combat losses in such a situation, do you have any ability to compare those combat losses and their attempt to meet with historical data from World War II, or perhaps the Yom Kippur War in 1973?

A I would say that in any future war in Europe would be one in which a number of losses are going to be orders

of magnitude above what they were based on historical data from World War II.

Q Going to the Yom Kippur War, in 1973, I believe there were hundreds if not thousands of tanks lost on either side within a very brief period of time. Would you be able to speak without breaching classified material as to how the loss rates in this war scenario that you have been speaking of would compare to that?

A Well, all the loss rates are the result of the increased lethality of weapons, and this indicates that there [54] would be greater losses both of material and manpower.

MR. WEINBERG: Greater than what?

THE WITNESS: Greater than the historical data that we have been using to determine our requirements in the past.

BY MR. KELSON:

Q That is true either in terms of World War II as a point of reference, or the Yom Kippur War?

A That is true in terms of reference of World War II, and the translation of World War II data, based on the Yom Kippur war experience.

Q And this high order of magnitude in the losses of material and personnel that you speak of would be what you speak of when you talk of crisis management?

MR. WEINBERG: Objection as to form.

Incidentally, John, you are here representing the witness and also the defendant, is that correct?

MR. KELSON: That is correct.

THE WITNESS: Yes, the increased lethality would cause these high loss rates.

BY MR. KELSON:

Q But my question is relating to the term crisis management. In what context did you use that term?

[55] A In terms of increased dynamics, based on increased lethality, and so forth.

Q Sir, in the circumstances where conscription might again be re-instituted, and more specifically the European war scenario, do you have any opinion as to the price that might be paid by the conscription of women in terms of casualties?

MR. WEINBERG: Objection.

BY MR. KELSON:

Q Or losses?

MR. WEINBERG: In reference to what?

MR. KELSON: I just referenced female conscripts by the United States Army.

MR. WEINBERG: But how would they be used? Would they be used in the front line, or posts back in the United States, compared to male volunteers? I don't understand the question.

MR. KELSON: If that is an objection, it is noted for the record.

MR. WEINBERG: It is an objection.

THE WITNESS: I guess, in the broadest terms, which would identify the conscription itself, it would appear to me [56] that the price you would pay using your terms would be the decreased effectiveness of the overall force.

MR. KELSON: I have no further questions.

REDIRECT EXAMINATION

BY MR. WEINBERG:

Q But that price you are referring to, would it differ, depending on how many female draftees we used?

A Well, I don't think so, because the management issue, as I have indicated before, yes, I think it can be broken down in scale, but there is the "a price that you pay".

Q Would the price vary, depending upon how many female draftees we are talking about?

A Well, if you are going to refer to one or—two, then I would have to say that the price would be less.

Q And would that price differ if you were talking about, instead of using female draftees, using female enlistees in the same position, trained at the same bases? The price would be based on the fact that they were female, rather than conscript volunteers?

A No, based on the fact that they are conscripts would cause complications for management, which has been really the thrust of my personal concern.

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Civil Action No. 71-1480

ROBERT L. GOLDBERG, ET AL., PLAINTIFFS,

vs.

CURTIS TARR, ET AL., DEFENDANTS.

Washington, D. C.
Tuesday, May 13, 1980

Deposition of

ROBERT B. PIRIE

a witness, called for examination by counsel for the plaintiffs, pursuant to notice, taken at The Pentagon, beginning at 12:15 p.m., before Rebekah J. Johnson, a Notary Public in and for the District of Columbia, when were present on behalf of the respective parties:

* * * * *

[4] Q Mr. Pirie, what is your present position?

A I am Assistant Secretary of Defense for Manpower, Reserve Affairs and Logistics.

Q How long have you been in that position?

A I have been in that position 11 months.

Q And prior to that you were?

A Prior to that I was acting in that fashion for about six months.

Q That would take us back to about January of '79?

A Yes. Actually November '78.

Q Prior to that?

A Before that I was the principal Deputy Assistant and all of that, and had been so since June 1977.

* * * * *

[5] Q Prior to being principal deputy, did you have any other employment with the Defense Department?

A I was for 20 years a career officer in the Navy and retired in July 1975. So I had some acquaintance with the Defense Department.

Q During your Navy years, did you have any assignments at the Department of Defense?

A Yes, I had an assignment here from 1966 to 1969.

Q As what?

A In the Office of the Assistant Secretary of Defense for Systems Analysis, as a staff analyst, and an assignment from October 73 to July '75 as the Acting Deputy Director of Net Assessment.

Q What did you do as Acting Deputy Director of Net Assessment?

A Assisted the director in establishing a mode of analysis for assessing status of defense programs that [6] emphasized comparing U.S. forces with Soviet forces in a variety of ways, supported the Secretary of Defense in assessment of strategic balance of forces in Western Europe—it was thought to be a very useful new mode of analysis—and to provide insights into our defense problems that are different from those provided by traditional systems analysis, operations, research and other things.

Q In your present position and your previous positions since November of 1978, have you had any role in developing the policy of the Department with respect to the registration or potential registration or conscription of women?

A Yes. In my present position, I think that is one of the areas in which I am responsible for advising the Secretary of Defense as to what position he should take.

* * * * *

[10] Q One of the statements made in your prepared testimony is that the work women in the armed forces do today is essential to the readiness and capability of the forces. In case of war that would still be true, and the number of women doing similar work would inevitably expand beyond our peacetime number of one quarter million. Were you questioned concerning the origin of the figure one quarter million?

[11] A No.

Q What does that one quarter million represent?

A One quarter million represents the program number of women in the armed forces as a whole at the end of fiscal 1985.

Q And that still is the expectation of the Department?

A Yes. We plan to reach that number.

Q And would that expectation be affected one way or another by whether the proposed registration for possible conscription is funded by Congress?

A No. That number is not based on considerations arising from the registration one way or the other.

* * * * *

[12] A The Department has been explicit in public testimony that we cannot fight a war with a volunteer Army, we would immediately request authority to resume the operation of the Selective Service System in a national emergency.

Q So that when you say in case of war, it would still be true that the women in the armed forces are doing work essential to the readiness and capability of the forces and that the number doing similar work would inevitably expand beyond the peacetime number, that is in full contemplation of there being a draft during the war situation?

A Yes.

Q Now on page two of your prepared testimony, you comment on the advantage of registration of women because it would provide a pool of trained personnel in areas where women have traditionally held the majority of jobs.

When you say where women have traditionally held the majority of the jobs—such as administrative, clerical, health care medical fields—are you talking about women in the military or women in society at large?

A Women in society at large.

Q So that the pool of trained personnel from which the [13] military could hope to obtain those same skills for its expanded needs in war time would be primarily a female pool?

A Yes. To the extent that that is true of the society at large, yes, that's true.

* * * * *

[14] Q You stated in your prepared testimony that it would make far greater sense to include women in a draft call and thereby gain many of these skills than to draft only [15] males who would be drafted for jobs traditionally held by females. Were you questioned with respect to that statement?

A I was not question with respect to that. I was not.

Q Was anybody? It says here statement of yourself and Mr. Rostker. Was Dr. Rostker questioned with respect to that?

A No, that really doesn't fall in his province at all. It was my business to be defending that side of the point.

Q You say you weren't questioned. Was there comment from the committee on that point?

A I guess you would say obliquely. The committee questioned me, as they had at the previous hearing, with respect to whether this was the most efficient way to conduct a draft call, and I replied that I thought it was, in view of the fact that it would give us the maximum flexibility to employ people in the skills available from the skill pool.

Q In any such draft call which would include both men and women, whom did you visualize ought to control the numbers of men versus women that would be drafted during any one period of time?

A It is primarily a function of the military services to determine how many people of what kinds they need and can [16] employ. So we depend upon them in the first instance to state their requirements.

Q And is it your opinion that the people who would have the best capability of determining the mix of men and women that would best be utilized to achieve the objectives of the armed forces would be the armed forces speaking through the Department of Defense?

A Yes, I think that's fair to say.

Q And is it fair to say that to the extent that you are prohibited from inducting women to fulfill the role that you envision in your testimony, that that prohibition interferes with an optimal access of the military to the available skills in society?

A It—to the extend that volunteers do not fill the needs—

Q I am hypothesizing a need for conscription all across the field.

A The committee appeared to feel that there would be more volunteers than we could handle. My point made there is to the extent you don't get these volunteers, that what you would be doing is taking in men who aren't trained and training them to do a job that you could take in a women to [17] immediately.

Q And during the time that you were either with the Navy or the Department of Defense, has it been your observation that conscripts have been used in administrative, clerical or health care medical fields within the service?

A Oh, yes.

Q And did that situation obtain during both peace and war?

A Yes.

* * * * *

[18] Q Now does the Department of Defense study a broad range of possible future scenarios which would require some [19] response by the armed forces?

A Oh, yes.

Q Are there some contingencies for which you plan which would require a very large and very sudden increase in the number of people in combat jobs?

A Yes.

Q Now would that include situations where the necessary increase would be beyond the scope of present reserve units, both in terms of numbers and in terms of preparedness and training?

A In terms of numbers, surely. In terms of preparedness the reserves are the —indeed, our reserves are expected to be part of the first line. Many of our reserve divisions are expected to be deployed to Europe in the first 30 days of a war with the Soviet Union, for example. So in terms of preparedness, the reserves are expected to be very ready, unprecendentedly.

Q And the problem would be numbers?

A Yes, the problem is numbers.

Q Now outside of men presently in the armed forces holding noncombat jobs, is there a large pool of combat ready personnel who could be used to supplement the reserves in one [20] of those situations where the needs for numbers of combat troops exceeded what you had?

A The principal supplement is what is called the individual ready reserve, where people with residual military obligations have an obligation remaining, and that pool would be used to fill out units, reserve units, which would be deployed, and it would be used for individual replacement for combat casualties. Beyond that pool there are other sources, including the so-called standby reserves, who are people with a lesser degree of obligation than the individual reserve, and retired personnel who can be recalled.

Q Retired personnel are generally older?

A Yes, retired personnel range in age from about 37 to very old. But we have very substantial numbers of people who have been retired who are in their late thirties to late forties who have substantial military skills, and the inten-

tion would not be to use these people in combat, but to use these people to supplement the support structure, selectively, and treat individuals who had military training, who would be then trained to deploy to combat.

Q The concept of freeing individuals who are already in the service for combat use is the topic that I am raising [21] here.

A It is very important, because by law we are not allowed to deploy individuals who have been conscripted from civilian life to combat theaters for the purpose of combat unless they have a minimal amount of training.

Q That minimum is specified in the statute?

A That minimum is specified in the statute, and it's my recollection it's 14 weeks. So there is a serious question about what you do between week one and week 14 if you are short people to engage in combat.

Q How soon would you be able to deploy the individual ready reserve and standby reserve?

A Beginning on the first day.

Q And the major scenarios you were describing before, would it be fair to say between weeks one and 14 you would need additional forces or you would anticipate the prudence of having additional forces?

A Yes. Our estimates—well, they are just that, estimates—lead us to believe we are presently short some 120,000 people in the Army, Guard and Reserves, and on the order of 260,000 people short in the individual ready reserve, and those positions are almost exclusively combat-related [22] positions.

A All 380,000?

A Yes.

Q And those are positions that would be necessary to actually fill during that 14-week period?

A Well, if you could not fill them, you would have to change the plan for deployment of forces.

Q In order to fight the war as you would want to be able to fight it, you would need those 380,000 men?

A Yes.

Q Would the ability to fill those 380,000 spots be enhanced by being able to transfer men who were presently holding noncombat roles in the military into the combat arm if you were able to replace them in their noncombat roles with capably trained enlisted or conscripted personnel?

A Volunteers or conscripted, yes, that would be enhanced. People who now have military training are not subject to the 14-week prohibition and could be immediately deployed.

Q So am I correct that people who are presently in the armed forces have all gone through a basic training that would qualify them to be combat soldiers?

[23] A Basic training plus the skilled training which they all go through, yes, that's correct.

* * * * *

[24] Q But in order to meet that 380,000 man shortfall in the combat slots, would the people already in the military in noncombat slots comprise the most readily available source for picking up that shortfall, for meeting that shortfall?

A Yes. The armed forces would, I believe, strip what are called TDA units, that is, units that are not combat-deployable units to provide individuals as fillers.

Q And in terms of continuing to fulfill the overall mission objectives of the armed forces, would the quality of the immediate replacements of those people be an important factor in the TDA area?

A Yes. The TDA units have an immensely important job in themselves to perform because they support the mobilization of the manpower that is to come beyond. That includes organizing and organizing the services of supply, organizing and training the movement of units while they are still in the United States, and a host of different things. So [25] it is very important that those TDA units, if they are used, be supplemented.

Q What does TDA stand for?

A Tables of division authority, or something of that kind, as distinct from TOE, tables of organization and equipment, which are units that have tanks and artillery pieces, and that's the organization and equipment.

Q And in your opinion and in the opinion of the Department, would having women available to fill those TDAs spots enhance the capability of the military to perform its function?

A Yes.

Q And was that the point that you were making when you said in your prepared statement "a further advantage would be to replace males currently holding noncombat jobs for reassignment to combat jobs"?

A Yes.

Q Were you quizzed on that by any panel members?

A No.

Q Was there any statement concerning that position?

A If I remember what was said, I think I mentioned the skepticism of the panel members about the optimal military [26] management and so forth, and in that particular context they came back and said is there a military requirement to draft women? And I reiterated the points I had made in the statement. But I thought that that question was particularly difficult for me to answer.

Q Am I correct that there is no regulatory, recognized job in the military that can be done only by a woman?

A Yes, that's true.

Q So in that sense there is no military requirement to draft women, and that any question about drafting women is in the context, as far as you are concerned, about the need for drafting people for positions which can be filled by either men or women?

A I think that is the right point. There is no military point for drafting left-handed men either.

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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ROBERT L. GOLDBERG, ET AL., PLAINTIFFS,

vs.

CURTIS TARR, ET AL., DEFENDANTS.

Civil Action No. 71-1480

Washington, D.C.
Wednesday, May 14, 1980

Deposition of

RICHARD DANZIG

a witness, called for examination by counsel for the plaintiffs, pursuant to notice, taken at The Pentagon, beginning at 10:00 a.m., before Rebekah J. Johnson, a Notary Public in and for the District of Columbia, when were present on behalf of the respective parties:

[7] A And the question of whether we would, in fact, take men and women in equal numbers in an emergency situation has been discussed within the Department.

Q What is the view of the Department with respect to that process?

A The view of the process in the event of emergency mobilization associated with, for example, a major war in Europe, the probability is that we would take disproportionate numbers of men—more men that women.

Q To the tune of 570,000 men to 80,000 women in the first six months?

A That is the projection we have generated.

Q And is it the view of the Department that that would reflect the optimal utilization of the available pool?

A Yes. The services—we ask the services—indeed, I ask the services—to indicate we were drafting 650,000 people in the first six months after a major war began, how many women they thought they could use in that—what proportion of that pool they thought could be women. And they responded, and their responses are the basis of the numbers you have just cited. It is not an analysis I have done or my office has done [8] ourselves.

Q But it was an analysis that was done for you by the constituent services?

A That's right.

Q And does the Department consider that selection of the composition of an indiction pool based upon the needs of the services, as articulated by the services, would be impartial in the sense that the Selective Service Act says that induction.

* * * * *

[10] Q Mr. Rostker also indicated in his testimony yesterday, and I believe Andy can corrobarate this, if the relief required by the courts were the immediate registration of women so that you could then proceed on the constitutional basis, that that would also be disruptive, at least at his end, because of the need to come up with the funds to do it and to do an entire new registration program in the middle of mobilization, whereas the theory of registration now, premobilization, was to get what could reasonably to done premobilization. Has that concern been expressed within the Department of Defense as well?

A I see the point, but it is a concern that Rostker would have that is sort of outside of our professional domain. Our concern is he be able to produce people at the rate we have indicated we require them, and so long as he is able to do that, all the additional burdens are his. If he reaches a point where he cannot do that, we become concerned.

* * * * *

[16] A My observation has been consistently that there is no military need to include or exclude any subset of the

population of young people who might be drawn, because the population is considerably larger than the military system itself requires. There are two million, roughly speaking, young men who reach age 18 every year and two million young women. When you expand that pool of four million in each age group to include, say, between the ages of 18 and 35, you get very large numbers of people, and the military couldn't use all those people. In that circumstance, you could exclude people under five foot four, or people with blue eyes, or women and not suffer any adverse military consequences from their exclusion. In sum, I think there is not a military need to include any particular group, period.

Q To include or to exclude?

A Well, there is a military need to exclude in the sense that obviously, for example, handicapped people provide less capacity to do certain kinds of jobs. Similarly, to the extent that there is either a legal or a prohibition on women's role in combat or some physical incapacity that limits the capacity of women to some contraints on the [17] training base that make it hard to train both sexes at once because of privacy or psychological ramifications, there may be provision for excluding women in some parts. To the extent you need, for example, combat positions, it may be there is argument for excluding women from that particular section of your requirement.

Q That's the induction requirement that you are talking about?

A That's right, yes.

Q And that would be essentially the argument against taking men and women randomly in the induction process?

A That's right, and it would also be an argument against perhaps taking any women in the early stages if your early stages were exclusively combat requirements.

Q This is the reason for the plan of the first six months to be all male for the first 60 days and then 20,000 women each month thereafter?

A That's right. Our feeling is in the early days the most critical requirement will be to train combat people.

There is, I might mention, another argument that concerns me in all of this, which is there is a certain utility to having what I would call a fungibility between the people you [18] are taking in. You may think that you need people for support jobs and therefore think that you can take them equally in numbers of men and women. But it may turn out that under conditions of war fighting there is enormous uncertainty and at the last minute you say this group of people we were going to take to be company clerks we are going to take as infantry riflemen. That is the argument for taking men only.?

Q That consideration has been taken into account, has it not, in the analyses by the services arriving at the projections for taking 80,000 out of the first 650,000?

A Yes.

Q So that even giving full consideration to all the reasons for limiting the role of women, it is still the view of the Department that there is no reason to exclude women entirely from registration and thus from the possibility of induction?

A I would only quarrel with the term "no reason." I think there are reasons, but I don't find them convincing.

Q All right, there is no reason that stand up under analysis, so to speak, that would justify the total exclusion of women from the process.

A That's right. I think there are no—I think the [19] reasons advanced do not justify the total exclusion of women from the process.

* * * * *

[25] Q So again, it is a question from the Department of Defense's point of view maximizing all of the available resources into the pool of available resource so that the best use in terms of mission fulfillment might be obtained.

A That's a reasonable statement.

Q There is one other section which happens to appear in the equity section of Mr. Pirie's statement. I was surprised it didn't appear in one of the other, but a question of organization. "It is in the interest of national security that in an emergency requiring the conscription for military service of the nation's youth the best qualified people for a wide variety of tasks in our armed forces be available. The performance of women in our armed forces today strongly supports the conclusion many of the best qualified for military service in the 18 to 26 category will be women. The Administration strongly believes they should be available for the service of the jobs they can do, just as men will be [26] available for jobs they can do." Is that a position of the Department of Defense?

A Yes.

Q And is that a fair summary of what we were talking about before, the performance of the 150,000 today as being the model for showing that some jobs in any military situation are going to be favorably filled by women?

A Yes.

Q A factual point. Senator Cohen was saying to you, "It is my understanding that approximately one out of every seven males who have been drafted have served in noncombat roles. Is that not correct?

"Mr. Danzig. I can check the exact numbers, but the thrust of the point is right.

"Senator Cohen. So six out of seven serve in a noncombat or support mission or perhaps an administrative position in the past?

"Mr. Danzig. Yes, in the present force.

"Senator Cohen. And it would be feasible to assign women to perform the noncombat roles, the administrative roles, the support roles, without involving them in the combat roles.

"Mr. Danzig. Not only feasible, Senator, that is [27] precisely the case at the present."

Is that a correct transcription of the interchange?

A To the best of my recollection.

Q Are your views correctly expressed in that?

A Yes.

Q Historically, because this is one of the reason that we have been unable to get exact figures, is it true that the majority of draftees—using six out of seven, I will temper that to the majority—have wound up in noncombat assignments?

A I really don't know. I would turn to Dean Tice for information about that. What you have gotten from him would be the best I could get.

Q The six out of seven figure is correct just insofar as the figure available, but you don't have a historical sense on it?

A This is why I said to Senator Cohen the thrust of it is right. I've never actually seen that number generated, but the notion that a substantial percentage, probably well over a majority of the percentage of troops, serve in support roles is an accurate one.

Q That is true in peace or war?

A Well, I am simply not sure what happens to those [28] ratios when you expand in war. I think it also would depend on the character of the war.

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IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Civil Action No. 71-1480

ROBERT L. GOLDBERG, ET AL., PLAINTIFFS,

v.

CURTIS TARR, ET AL., DEFENDANTS.

Washington, D.C.
Tuesday, May 13, 1980

Deposition of

MAJOR GENERAL R. DEAN TICE

a witness, called for examination by counsel for the plaintiffs, pursuant to notice, taken at The Pentagon, beginning at 11:50 a.m., before Rebekah J. Johnson, a Notary Public in and for the District of Columbia, when were present on behalf of the respective parties:

[12] term I would use those entering the service. During the Battle of the Bulge in 1944, whether you were already in or about to be drafted, everybody immediately went into combat, because it was critical we turn out all combat individuals. We even retrained all the clerks and cooks in France and sent them to the front line. I think you have to make a very definite delineation between the peacetime experiences that we have had with the draft versus war time. But by and large it is based on requirements of the services as specified to the Department of Defense by the Army, Navy, Air Force and Marine Corps.

Q You may not haver understood quite what the question was driving at.

A Please repeat it then.

Q Let me try to reform it.

During your war time experience, have there been times when most of the new inductees, whether they were by conscription or volunteer enlistment, have gone into noncombat, non close combat or non close combat support positions?

A I have no way of recalling when that might occur. Your bulk of your requirements in war time certainly go into combat and combat support skills. You know as a function of [13] expansion, the ratio of the logistical or administrative support certainly doesn't increase at the same rate as combatants do in war time.

Q For example, presently, how many noncombat personnel does it take to keep each combat soldier in the field?

A I don't know if I have that information readily available. There is some problem as to within each of the service's definition of what constitutes combat and combat support. The Army uses three delineations. They use combat, they use combat support, and they use combat service support. And what that does is delineate degrees of distances usually from the front lines. As to the supporting kinds of requirements that you have, within the combat divisions you have certainly combat support units. They are all in the combat divisions, but they are not the maneuver battalions that are involved in the close combat. Yet, I would be hard pressed to, on a fluid battlefield, to perhaps delineate. If somebody is bombing you and the bombs are exploding nearby—you can be 500 miles from the front line—that's pretty close combat as far as life-threatening. It does not involve the face-to-face confrontations with the enemy.

Q Let's use the face-to-face confrontation. Am I

* * * * *

[19] We are also responsible for the armed services examining stations and their operation thereof. And for planning purposes, they were trying to estimate how you would in process both men and women for meeting their

immediate needs. I think that most involved agreed for the first 60 days, they would not call any women.

Q And why was that?

A Mainly because your initial replacements are usually early battle casualties, and it would certainly also simplify the processing for physicals and everything else in the armed forces examining stations.

Q All right, so then—

A Your early call-up, your immediate call-up in case of bringing on the draft would be in anticipation of your early losses in war. And, of course, most of those would be in the combat area. That is a judgmental thing, I think, for [20] policy makers, and rightly so.

Q Let me backtrack just a little. Who was it who was reflecting that view in the discussion that you just referred to?

A I think it's a collective view of all of us who work in the personnel business here.

Q And is this partially a function of the constraint of the way the examining stations are set up now, that it would facilitate having all men, because you don't really have the stations for women at this point?

A No, not really. I don't think that's the paramount reason. The paramount reason on the call-up is what you estimate your immediate needs are.

* * * * *

[22] hypothetical situation that I am aware of.

Q Now the requirements for at least 80,000 additional women over the first six months of a mobilization situation, that does not envision, does it, putting women into roles or positions from which they are presently excluded?

A No, it does not.

Q And so we are talking about expanding the present role of women not qualitatively, but quantiatively during a mobilization, that there would be of the same types of jobs for which they are presently utilized and subject to all the constraints for utilizing women in terms of rotation and

maintaining combat, to strip down and put into combat, we are talking about a minimum of 80,000 additional spots to be filled by women.

[23] A Yes. I think that is as far as we have gone in the current planning.

Q And that would be over that first six months period?

A A hundred eighty days, with no call-ups for the first 60.

Q No call-up of—

A Of women. Of course, you understand that in all of these assessments you assume that we haven't stopped volunteers from coming in.

Q I would think not. That gets to the next question, that during this first 60 days that you would anticipate excluding women from the draft call-ups, would you be taking female volunteers?

A I would assume so.

Q And they would go through the same processing as a draft call-up, wouldn't they, in terms of having to have physicals, unless they have already had induction physicals?

A No, we haven't given thought to that. But I would think the normal processing for volunteers would take place.

Q Volunteers are processed in the same facilities, aren't they, as are conscripts?

A That's true.

* * * * *

[34] Q Okay, I was not hypothesizing a situation where the legal power lies. My question to you was who do you think is most acquainted with the needs of the services and their ability to identify what slots should be or could be filled by [35] men or women?

A I think each of the services have that responsibility as opposed to my office.

Q And they would communicate—

A That requirement to me, yes.

You understand the hierarchy of the DOD policy, with the oversight responsibility over all the armed forces as opposed to identifying the specific needs within each of the services separately.

Q The logical way, as far as you can see it, is for an individual service to identify what mix men and women or what range of mixes is optimal for its—

A Accomplishment of its mission.

Q Right. And they would communicate that to you, as would the other services, and you would say, therefore, we need a total mix of accessions of X percentage or a range, acceptable range, we need this month or the six months between six and 23 percent women, let's say, something like that.

A Something like that, that's correct.

Q And to the extent, getting back to Mr. Pirie's testimony, he says if there were not enough women volunteers, that is, to raise that 80,000 additional women, a separate [36] draft call for women would be issued. To the extent that the authority to register and draft women were denied you, that would inhibit the ability to raise those 80,000 people, 80,000 females, because you would have to get them all through volunteers. Is that correct?

A Yes.

* * * * *

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CIVIL ACTION NO. 71-1480
F.S. 76-0193
MISC. NO. 76-0159

ROBERT L. GOLDBERG, ET AL., PLAINTIFFS,

v.

BYRON V. PEPITONE, ET AL., DEFENDANTS.

Alexandria, Virginia
Tuesday, December 21, 1976

Deposition of:

MAJOR GENERAL ROBERT G. GARD, JR.,

a witness, called for examination by counsel for the Plaintiffs, pursuant to notice, at the Hoffman Building, Room 7-N-27, 200 Stovall Street, Alexandria, Virginia 22332, beginning at approximately 11:00 o'clock a.m., before Louis M. Familant, a Court Reporter and Notary Public in and for the State of Virginia, when were present on behalf of the respective parties:

* * * * *

[5] A. I commanded a battery of field artillery during the Korean conflict; a battalion in Germany and a division artillery in Viet Nam. And I was, also, the Commander of Fort Ord (phonetic) in California prior to this assignment.

Q Okay. Which division did you command in Viet Nam?

A The 9th Infantry Division.

Q All right. And the battalion in Germany?

A Was the 5th Battalion (Airborne), 81st Artillery.

Q And what were your duties at Fort Ord?

A I was the Commanding General of the Fort Ord complex consisting of four military installations.

Q All right. And have you had any specialized training or any special experience in the field of [6] personnel planning or administration?

A Well, I have held three jobs related directly to personnel.

I was the G-1 or personnel officer of the 8th Infantry Division following my battalion command in Germany.

I was Director of the Human Resources Development in the office of the Deputy Chief of Staff for Personnel, Headquarters, Department of the Army from 1971 to 1973.

And I currently am serving as the Commander of the U.S. Army Military Center over the last two years.

Q What is the function of the Military Personnel Center?

A Well, our mission is, briefly, the personnel operator for the Army.

We execute military personnel policies, systems and programs, and we develop and supervise military personnel procedures to include the supporting functions that enable us to perform this function.

I also have in my charter the mission of recommending changes to military personnel policy.

* * * * *

[11] Q Okay. Why did you recommend on either of those two occasions that that policy be reconsidered?

MR. ELLIOTT: Objection to that.

MR. WEINBERG: Okay.

THE WITNESS: Well, during my visit to Europe, I had conversation with the Commander of the 32nd Air Defense Brigade.

BY MR. WEINBERG:

Q Who is that?

A Major General Fye (F-y-e). In the Air Defense Missile units, there is an operation center which habitually is located in the combat—in the communications zone and which is well protected.

Prior to the prohibition of women serving in CAT-1 units, General Fye had female soldiers performing tasks in that operation center.

[12] He felt that they were highly effective and could be used there, and that they would be quite well protected from any potential combat situation.

* * * * *

[33] Q In your discussions with General Fye—am I pronouncing it right?

A (Nods head affirmatively).

Q All right. How did he characterize the performance of his female enlisted personnel who had been assigned to CAT-1 units?

A He was most laudatory.

Q And how long has there been a total preclusion enforced in CAT-1 units?

A I am not certain but, I believe, since about 1974.

Q Okay. Prior to that, what is your understanding of the practice?

A There were restrictions as to military occupation specialty, and I can't remember—I am blocking whatever the other one was.

(Pause)

Oh! And those—those positions are considered as interchangeable by the commander in the field.

[34] Q Okay. Now what were those positions considered as interchangeable? How did that come up?

A Well, we initially decided to expand substantially the number of women in the Army. Commanders—

Q Who is "we" at that point?

A I am speaking of "we" as institutionally. When the decision was made to expand substantially the number of women in the Army, commanders were queried as to those positions they felt could be filled either by a male or a female soldier.

So there were some positions reserved for males only.

So, in that sense, there was a restriction. And then, if I recall correctly, a certain M.O.S. was blocked for female participation.

Q Those were primary—excuse me—primarily, combat specialties?

A Yes, the combat specialties.

Q And other than that, the practice was that women could be assigned by a commander to a CAT-1 unit?

A Yes.

Q And do you know of any place other than [35] in the 32nd Air Defense Brigade where women were, in fact, assigned to CAT-1 units?

A Yes. Fort Ord, California.

Q All right. That was while you were commander?

A Yes.

Q And what kind of CAT-1 unit were they assigned?

A Combat Engineer Battalion.

Q And in what capacity?

A Clerical capacity in the battalion headquarters.

Q And those were enlisted personnel?

A They were.

Q And how was their performance?

A I had little opportunity to observe it directly, but it was reported to me that it was very good.

* * * * *

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CIVIL ACTION NO 71-1480

GOLDBERG

v

PEPITONE

The Pentagon
Washington, D.C.
October 19, 1976

Deposition of

JOHN F. AHEARNE

a witness, called for examination by counsel for the Plaintiff, by agreement of counsel, at the offices of the Department of Defense, Washington, D.C., before Douglas W.G. Blair, a Notary Public in and for the State of Virginia, when were present on behalf of the respective parties:

[34] board, starting with full peacetime operation, clearly there already are limits in those units, in some mix. And so, obviously, the services have already reached the conclusion that they can operate the units.

When shortages exist, the Department's approach has been to tend to understand why the shortage exist and then to take whatever steps are advisable to alleviate the shortage—for example, by increasing recruiting concentrations in areas of high turnover or providing bonuses, enlistment bonuses, and such to increase the number of people to come in.

The approach that the Department will then tend to take is to attract the kind of people that are best for that function and to also try to understand why they are not

attracting them and to, if possible, increase the attractiveness of that area.

In the case of a wartime situation, and your question was addressing shortages in the non-combat areas, at least in part of the time the services would tend to, I believe—and this is now conjecture, particularly conjecture as I am looking into the future and a high-intensity conflict—would probably tend to accept shortfalls in these non-combat areas rather than go to a change in the appropriate mix of [35] people that they have in those areas.

Again, it is more a question that would have to be referred to the military as to how far or how much of a shortfall they would be able to take.

BY MR. WEINBERG:

Q By "mix," you are referring to the male-female mix?

A Any mix—male, female, mental aptitude, physical strength—because once combat has really started, or the likelihood of combat is very great, the concentration would be to make sure that the combat forces are at full strength, and recognizing that other forces can be drawn down somewhat, because the output per individual can be expected to increase or can be more, at least for a short time, to pick up the shortfall.

Q Are you aware of proposed legislation over the last couple of years dealing with the abolition of the Women's Army Corps?

MR. KELSON: Mr. Weinberg, just for clarification, you do not mean the abolition of women in the Army. You are speaking of the technical term, Women's Army Corps?

MR. WEINBERG: Oh, no, just the term, Women's Army

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

Civil Action
No. 71-1480

ROBERT L. GOLDBERG, ET AL.

v.

CURTIS TARR, ET AL.

PLAINTIFFS' REQUEST FOR ADMISSIONS
(SET NO. 2)

Pursuant to Fed.R.Civ.P. 36(a), plaintiffs hereby make the following request for admissions with respect to the subject matter of Defendants' Response to Plaintiffs' Interrogatories (Set No. 5). Pursuant to agreement of counsel, any response to these requests shall be served and filed within seven (7) days of the date hereof, or the matters set forth shall be deemed admitted.

1. With the sole exception of Senate Report No. 226 in 1979 (issued in connection with hearings held in 1979), none of the documents identified in response to Interrogatory No. 28, which requests a statement of all "legislative facts" upon which defendants contend Congress relied or found in support of the exclusion of females from registration for conscription in the Armed Forces, considers or discusses in any way the issue of inclusion or exclusion of females in or from registration or conscription.

2. None of the identified documents recites any legislative facts found by Congress in enacting the Military Selective Service Act, as amended, 50 App. U.S.C. § 451, et seq., and particularly Section 3 of that Act relating to the issue of inclusion or exclusion of females in or from registration or conscription.

3. The question of inclusion or exclusion of females in or from registration or conscription is not explicitly considered in any way in any of the statutory history of Military Selective Service Act, as amended, or of any predecessor conscription statute in the United States.

4. The issue of inclusion or exclusion of females in or from registration or conscription was not considered, analyzed or debated in connection with the passage, amendment or implementation of any conscription statute of the United States.

5. Every conscription statute of the United States since, at least, the Civil War, has provided for registration or conscription of males only.

6. No legislative facts were found or expressly relied upon by Congress in excluding females from registration or conscription in connection with the enactment of the Military Selective Service Act of 1967, as amended.

7. In view of the foregoing, there are no persons known to defendants as having knowledge of any such legislative facts or documents reflecting or referring to the consideration or finding by Congress of such legislative facts.

/s/ _____

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AMMUNITION LOADING AND FIRING TEST— PRETEST PHYSICAL CONDITIONING OF FEMALE SOLDIER PARTICIPANTS

CPT Maria A. Murphy
CPT Theresa M. Nemmers[1]

October 1978

/s/ _____
JOHN D. WEISZ
Director
U.S. Army Human Engineering Laboratory

INTRODUCTION

The influence of women on equipment design is reflected in current Army efforts to accommodate the female soldier in her ever expanding role. Women have been admitted into all military occupational specialties formerly considered "nontraditional" with the exception of the combined arms branches and combat engineers. The growing presence of women in the Army and their projected utilization are gaining increased interest at the congressional level.

The purpose of this report is to present the physical conditioning program which was utilized in conditioning 13 female soldiers in order that they could successfully load and fire the 105mm (M101A1) and the 155mm (M114A1) howitzers. The program was designed by analyzing the specific kinematics utilized in loading and firing the above mentioned howitzers. Anthropometric data is shown in Appendix A. Protocol submitted is exhibited in Appendix B. Universal gymn exercises for strength and endurance are exhibited in Appendix C.

PRELIMINARY CONSIDERATIONS

The training/physical conditioning regimen selected was based on physical requirements for ammunition/

[1] 121st Evacuation Hospital APO San Francisco 96301

portability/handling/loading in FM 6-50(2). Heights, weights, etc., for the howitzers and rounds are shown in Table 1. Table 2 summarizes the actual physical demand for loading crews for each howitzer.

TABLE 1

Physical Parameters of Howitzers Relevant to Conditioning

	Howitzer	
	105mm	155mm
Weight of Round	33 lb. shell, 45 lb. compl.	95 lb. shell
Length of Round	31.07"	26"
Loading Tray	NA	19 lb., 34" long, 16" wide
Raming Staff (aluminum)	NA	10 lb., 2 segments of 4'2" which fit together, 1.5" dia.
Force to Open Breech	10 ft/lbs <	50 ft/lbs
Trail Width	4½"	8¼"
Height of Breech from Ground	43"	46"
Height of Trail at Handover of Round	24"	NA
Height of Handle of Breech from Ground	NA	37"
Distance between Handle of Open Breech and Trail	NA	24"

TABLE 2

Loading Requirements Relevant to Conditioning

	Howitzer	
	105mm	155mm
Distance to carry each round to howitzer	8' - 10'	8' - 10'
Distance to carry powder	NA	3 lb - 6'
Crew size	4	6
Dead weight lift of round from ground to breech	Yes	Yes
Rounds/rate burst fire	10/min for 3 min	4/min for 3 min
Rounds/rate sustained fire (5 min limit)	3/min	1/min
Total training trial rounds/ crew-live fire	4	4
Total training trials/ crew-live fire	5	5
1st test trial exposure time	3 min	3 min
2d test trial exposure time	8 min (burst & sustain)	8 min (burst & sustain)
Total trials	2	2
Number of experimental trials/day/crew	no more than 4	no more than 4
Total number of experimental trials/crew	4	4
Total number of rounds/ crew	75	29
Total training rounds	20	43

It should also be noted that there were no significant injuries incurred during this accelerated program.

CONCLUSION

The physical training regimen for the artillery study has opened the door for further studies on the question of physical training programs of varying nature for the different Army job specialties.

Physical conditioning played a key role in the US Army Human Engineering Laboratory Ammunition Loading and Firing Test. Test directors wanted to see if women who are physically fit could maintain the strength and endurance necessary for the firing sequence. The rate of fire is 4 rounds-per-minute for the first 3 minutes, then 1 round-per-minute thereafter for the 155mm M114A1 towed howitzer; and 10 rounds-per-minute for the first 3 minutes, then 3 rounds-per-minute sustained for the 105mm M101A1 towed howitzer. The subjects not only met the rate of fire on both howitzers, but in several instances exceeded it.

IMPROVING CAPABILITY TO MOBILIZE MILITARY MANPOWER:

A REPORT BY THE
DIRECTOR OF THE SELECTIVE SERVICE
A DRAFT WORKING DOCUMENT
16 January 1980

• *Schedule for training Federal personnel in registration.* Each Memorandum of Understanding with a supporting Federal agency provides that personnel will be trained on appropriate aspects of Selective Service procedures. Selective Service, USPS, IRS and SSA will review registration forms to insure that they are compatible with normal operating procedures.

• *Likelihood that induction notices would survive potential court challenges.* The Selective Service General Counsel has reviewed all post-mobilization plans and procedures. Sections 5(a)(1) and 10(b) of the MSSA imply that local draft boards shall issue induction orders. At the same time, Section 5(d) of the Act authorizes a uniform national draft without regard to local boards whenever the President prescribes the use of the lottery. The section places the issuance of induction orders under such rules and regulations as prescribed by the President. Selective Service plans, through the EMMPS procedures, to issue induction orders under authority of this section and is developing updated regulations. To insure that the authority to issue induction orders is completely unambiguous, Selective Service recommends a statute change which will specifically grant the President authority to issue induction orders under Sections 5(a)(1); 10(b); and 5(j) of the MSSA.

The General Counsel has advised that the registration and induction system may be vulnerable to legal challenges if a claims structure was not in place at the time of induction. Accordingly, we are planning to undertake the selection and training of local board members in fiscal year 1981.

The General Counsel has also advised that to meet current Constitutional law requirements of equal protection, any system of registration for and induction into the armed forces must include both men and women. Accordingly, the Selective Service is recommending an amendment to the MSSA to provide for the registration and induction of men and women.

At this time we know of no other legal questions pertaining to a post-mobilization registration plan.

• *Registration and Induction of Women.* The Selective Service and the Department of Defense agree that any future draft should be applicable to both men and women, because (1) it would be inequitable to restrict registration and induction to men since women can and currently do fill substantial, essential military requirements; and (2) the evolution of substantial relationship standards of equal protection in gender renders an all male draft constitutionally suspect.

The Department of Defense has also advised that under the present state of the law, they assume the validity of current gender based combat restrictions, whether accomplished by statute or policy. In recognition of present combat restrictions, DOD has proposed, and Selective Service supports, a change to the MSSA to provide standby Presidential authority to register and classify both men and women, to randomly induct men only in sufficient numbers to fill combat positions and to maintain a replacement pool for those positions, and to randomly induct men and women on an equal basis to fill non-combat positions. We have been advised that given the above, Defense would not require women within the first 60 days, i.e., they would not be part of the 100,000/M+60 requirement, and that 80,000 women woud be required over the period M+90 to M+180. These women would be part of the total 650,000 six-month requirement.

SUMMARY AND CONCLUSION.

The Selective Service, over the last several months, has completely revised the plans by which it will register and

induct draft eligible people into the Armed Services. We believe that we *now* have a capability to respond in an emergency. The changes which have provided this new capability are:

- An agreement with the United States Postal Service to conduct registration at their 34,000 postal offices throughout the United States, and with the Department of State to conduct registration overseas.
- An agreement with the Internal Revenue Service and the Social Security Administration to keypunch completed registration forms.
- A procedure to expedite the induction process by sorting and processing completed registration forms in Random Sequence—Lottery number order.
- The development of a simplified procedure to issue induction orders, claims information and forms.
- Agreements with the Department of Defense to:

—Support the Emergency Military Manpower Procurement System (EMMPS) on an Army computer until we can build a joint SSS/MEPCOM computer center, which will be completely dedicated to military manpower procurement and processing, peace and war.

—Provide to Selective Service, 434 Armed Forces Recruiting Stations and 1,500 personnel to facilitate the reestablishment of area offices.

While an immediate reactivation of the system, incorporating these changes, would be difficult and could not be accomplished in the minimum times suggested in this report, the actions already taken should enable us to meet the minimum needs of the Department of Defense. Selective Service is committed over the months ahead, working with supporting Federal agencies, to refine our plans, develop operating procedures, train personnel and test our ability to meet the emergency military manpower requirements of the Department of Defense.

No. 407. Enlisted Military Personnel, by Occupation Group: 1945 to 1967

[In thousands, except percent. For years ending June 30]

Occupation group	Number					Percent distribution				
	1945	1953	1960	1963	1967	1945	1953	1960	1963	1967
Total	8,396	2,396	1,522	2,030	2,373	100.0	100.0	100.0	100.0	100.0
Ground combat	2,071	391	245	286	335	24.1	17.3	13.4	14.1	14.1
Infantry	974	209	122	157	186	11.3	9.2	7.2	7.7	7.8
Artillery	732	106	60	65	71	8.7	4.7	3.3	3.2	3.0
Armor	113	40	28	32	36	1.3	1.8	1.5	1.6	1.5
Combat engineers	229	34	25	31	40	2.7	1.5	1.4	1.5	1.7
Other	3	1	1	1	2	(Z)	(Z)	(Z)	0.1	0.1
Electronics	800	216	245	292	349	5.8	9.5	13.4	14.4	14.7
Maintenance	164	105	133	168	192	1.9	4.6	7.2	8.3	8.1
Operation	336	111	113	124	156	3.9	4.9	6.2	6.1	6.6
Other technical	618	166	147	162	182	7.3	7.3	8.0	8.0	7.7
Medical and dental	400	101	85	94	108	4.7	4.5	4.6	4.6	4.6
All other, incl. musicians	218	65	62	68	74	2.5	2.9	3.4	3.4	3.1
Administrative and clerical	1,313	467	377	462	438	15.3	20.6	20.6	19.8	18.4
Supply	392	137	124	131	141	4.6	6.3	6.8	6.5	5.9
All other	921	330	253	271	297	10.7	12.4	13.8	13.3	12.5
Mechanics and repairmen	1,717	506	453	498	619	20.0	22.3	24.8	24.5	26.1
Aircraft	467	172	194	199	236	5.7	7.6	10.6	9.8	9.9
Automotive	335	82	80	71	106	3.9	3.6	3.2	3.5	4.5
Munitions and weapons [1]	224	51	46	49	68	2.6	2.3	2.5	2.4	2.9
Shipboard machinery	250	97	79	88	98	3.0	4.3	4.3	4.3	4.1
Electrical and wire communications	239	93	72	87	106	2.8	4.1	4.0	4.3	4.5
Other	74	12	4	4	5	0.9	0.5	0.2	0.2	0.2
Craftsmen	791	150	129	146	162	9.2	6.6	7.6	7.2	6.8
Construction and utilities	330	51	50	61	62	3.9	2.3	3.2	3.0	2.6
Shipboard operations	207	36	25	27	34	2.4	1.6	1.3	1.3	1.4
Metal working	127	24	20	20	23	1.5	1.1	1.1	1.0	1.0
Other	118	39	34	38	43	1.4	1.7	2.0	1.9	1.8
Services	1,428	348	225	241	285	16.6	15.4	12.3	11.9	12.0
Motor transport operators	400	87	58	57	68	4.8	3.8	3.1	2.8	2.9
Food service	440	143	81	86	98	5.1	6.4	4.4	4.3	4.1
Security	221	79	66	71	75	2.6	3.5	3.6	3.5	3.1
Other	366	38	22	27	43	3.5	1.6	1.2	1.3	1.9
Miscellaneous [2]	160	22	-	-	-	1.9	1.0	-	-	-

- Represents zero. Z Less than 0.05 percent. [1] Includes naval gunners. [2] Includes aerial gunners.

Source: 1945–1960, Harold Wool, *The Military Specialist, Skilled Manpower for the Armed Forces*, Johns Hopkins Press, Baltimore, Md., 1968 (copyright); thereafter, Dept. of Defense, Office of the Secretary, unpublished data.

In the Supreme Court of the United States

No. 80-251

BERNARD ROSTKER, DIRECTOR OF SELECTIVE SERVICE, APPELLANT,

v.

ROBERT L. GOLDBERG, ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

The statement of jurisdiction in this case having been submitted and considered by the Court, probable jurisdiction is noted.

December 1, 1980

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